United Nations S/2007/752

Security Council

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English
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Draft resolution

The Security Council,

Recalling its resolutions and the statements of its President concerning the Democratic Republic of the Congo, in particular resolution 1756 (2007),

Reaffirming its commitment to respect the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo,

Reaffirming its commitment to continue to contribute to the consolidation of peace and stability in the Democratic Republic of the Congo in the post-transition period, in particular through the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC),

Underscoring the long-term sustained efforts needed from the Government of the Democratic Republic of the Congo and its international partners to consolidate democracy and promote the rule of law, good governance, recovery and development,

Stressing the primary responsibility of the Government of the Democratic Republic of the Congo for ensuring security in its territory and protecting its civilians with respect for the rule of law, human rights and international humanitarian law,

Expressing its grave concern at the continued presence of foreign and Congolese armed groups and militias in the eastern part of the Democratic Republic of the Congo, including the Forces Démocratiques de Libération du Rwanda (FLDR), ex-FAR/Interahamwe and the dissident militia of Laurent Nkunda, which has resulted in a serious security and humanitarian crisis particularly in North Kivu,

Expressing in particular its deep concern at the humanitarian consequences of the recent fighting between the dissident militia of Laurent Nkunda and the Armed Forces of the Democratic Republic of the Congo (FARDC), and *recalling* that a comprehensive approach is needed to tackle the crisis in the Kivus including efforts to address the presence of all armed groups and militias, to end impunity and to promote reconciliation, social cohesion, recovery and development in the region,

Commending MONUC and the Congolese authorities for the substantial progress towards carrying out the disarmament, demobilization and reintegration of combatants in the district of Ituri, which helped to stabilize security conditions in that part of the country,

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Commending the joint efforts of the Governments of the Democratic Republic of the Congo and the Republic of Rwanda to address their common security concerns through dialogue and cooperation, *welcoming* in particular the joint communiqué on a common approach to end the threat posed to peace and stability in both countries and the Great Lakes region, signed in Nairobi on 9 November 2007 (S/2007/679), which is an important milestone towards the definitive settlement of the problem of illegal armed groups in the eastern part of the Democratic Republic of the Congo, and *expressing* its appreciation for the ongoing efforts undertaken in this respect by the Secretary-General, his Special Representative and Assistant Secretary-General Menkerios,

Also commending the joint efforts of the Governments of the Democratic Republic of the Congo and the Republic of Uganda to address the continued presence of the Lord's Resistance Army (LRA) in eastern Congo, *welcoming* in particular the Summit in Ngurdoto, Tanzania, between President Kabila and President Museveni on 8 September 2007,

Commending also the efforts of the Government of the Democratic Republic of the Congo and other countries of the region to solve their common security concerns, and *welcoming* the Conclusions of the high-level meeting of the Tripartite Plus Joint Commission held in Addis Ababa on 4 and 5 December 2007,

Recalling its resolution 1325 (2000) on women, peace and security, its resolution 1502 (2003) on the Protection of United Nations personnel, associated personnel and humanitarian personnel in conflict zones, its resolution 1612 (2005) on children in armed conflict and its resolution 1674 (2006) on the protection of civilians in armed conflicts,

Deploring again the persistence of violations of human rights and international humanitarian law in the Democratic Republic of the Congo, in particular those carried out by the FDLR, ex-FAR/Interahamwe and the dissident militia of Laurent Nkunda, as well as other militias and armed groups and elements of the FARDC, the Congolese National Police (PNC) and other security and intelligence services, and *stressing* the urgent need for those responsible for these crimes to be brought to justice,

Condemning in particular sexual violence perpetrated by militias and armed groups as well as elements of the FARDC, the PNC and other security and intelligence services, *stressing* the urgent need for the Government of the Democratic Republic of the Congo, in cooperation with MONUC and other relevant actors, to end such violence and bring the perpetrators, as well as the senior commanders under whom they serve, to justice, and *calling on* Member States to assist in this regard and to continue to provide medical, humanitarian and other assistance to victims,

Recalling the conclusions of the Security Council Working Group on Children and Armed Conflict pertaining to parties in the armed conflict of the Democratic Republic of the Congo (S/AC.51/2007/17 of 25 October 2007),

Welcoming MONUC's policy to promote and protect the rights of women and to take into account gender considerations as set out in its resolution 1325 (2000) as a cross-cutting issue throughout its mandate and to keep the Council informed,

Urging all States, especially those in the region, including the Democratic Republic of the Congo itself, to take the appropriate steps to end the illegal trade in natural resources,

Declaring its determination to continue to monitor closely the implementation of the arms embargo and other measures set out by its resolutions,

Recalling the importance of elections, including the forthcoming local elections, for the longer-term restoration of peace and stability, national reconciliation and establishment of the rule of law in the Democratic Republic of the Congo,

Recalling also the importance of urgently carrying out security sector reform for the long-term stabilization of the Democratic Republic of the Congo,

Taking note of the twenty-fourth report of the Secretary-General on MONUC dated 14 November 2007 (S/2007/671) and of its recommendations,

Determining that the situation in the Democratic Republic of the Congo continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the mandate and capacity of MONUC, as set out in resolution 1756, until 31 December 2008 and *authorizes* the continuation until that date of up to 17,030 military personnel, 760 military observers, 391 police personnel and 6 formed police units comprising up to 125 personnel each;

2. *Requests* MONUC to attach the highest priority to addressing the crisis in the Kivus in all its dimensions, in particular through the protection of civilians and support for the implementation of the Nairobi Joint Communiqué;

3. *Demands* that the militias and armed groups that are still present in the eastern part of the Democratic Republic of the Congo, in particular the FDLR, ex-FAR/Interahamwe and the dissident militia of Laurent Nkunda and the LRA, lay down their arms and engage voluntarily and without any further delay or preconditions in their demobilization, repatriation, resettlement, and reintegration, as appropriate, *stresses* the need to ensure that those militias and armed groups do not receive any support for their illegal activities, and *also demands*, recalling its resolution 1698 (2006), that all armed groups, in particular the forces of Laurent Nkunda and the FDLR, immediately stop recruiting and using children and release all children associated with them;

4. *Urges* the Government of the Democratic Republic of the Congo to address the crisis in the Kivus in a comprehensive way, including through promptly convening the Round Table on peace, security and development in the Kivus;

5. *Encourages* MONUC, in accordance with its mandate and emphasizing that the protection of civilians must be given priority in decisions about the use of available capacity and resources, to use all necessary means, within the limits of its capacity and in the areas where its units are deployed, to support the FARDC integrated brigades with a view to disarming the recalcitrant foreign and Congolese armed groups, in particular the FDLR, ex-FAR/Interahamwe and the dissident militia of Laurent Nkunda, in order to ensure their participation in the disarmament, demobilization, repatriation, resettlement and reintegration processes, as appropriate;

6. *Requests* the Secretary-General to report by 31 March 2008 on how MONUC could further support FARDC or take other measures in dealing with illegal foreign and Congolese armed groups;

7. *Emphasizes* that such operations by the FARDC should be planned jointly with MONUC and in accordance with international humanitarian, human rights and refugee law and should include appropriate measures to protect civilians, and *requests* the Secretary-General to include in his reports to the Council an assessment of the measures taken to protect civilians;

8. *Recalls* MONUC's mandate to use all necessary means to protect civilians under imminent threat of physical violence, particularly in the Kivus;

9. *Requests* the Secretary-General to continue to use its good offices in facilitating a political solution to address the underlying causes of the crisis in the Kivus, in close consultation with the Government of the Democratic Republic of the Congo, Governments of the region and other regional and international partners;

10. *Calls on* the Governments of the Democratic Republic of the Congo and the Republic of Rwanda, as a matter of urgency, to fully implement their commitments under the Nairobi Joint Communiqué, and to continue to cooperate to solve their common security concerns;

11. *Calls on* the Governments of the Democratic Republic of the Congo and the Republic of Uganda to fully implement their commitments under the Ngurdoto Agreement and to continue to cooperate to solve their common security concerns;

12. *Welcomes* the letters of the Secretary-General dated 11 October and 30 November 2007 (S/2007/694) with respect to assistance by MONUC to the Congolese authorities in the organization, preparation, and conduct of local elections, and *requests* MONUC, consistent with its existing mandate, to begin to provide the assistance described in these letters and *expresses* its intention to further consider the issue by the end of January 2008;

13. *Calls on* the Congolese authorities to intensify as a matter of urgency their efforts to reform the security sector, including the army, the police and the justice sector, *encourages* in particular the development of a comprehensive plan and timelines for the reform of the army, *invites* the Congolese Government to hold as soon as possible the planned round table on security sector reform and *urges* international partners to support this endeavour;

14. *Underlines* the importance of the support MONUC is providing, in close cooperation with the Congolese authorities, the United Nations Country Team and donors, to the strengthening of democratic institutions and the rule of law in the Democratic Republic of the Congo, and *calls upon* the Congolese authorities to take full advantage of the assistance offered by MONUC and other international partners in these respects;

15. *Reiterates* its call upon the Congolese authorities to put an end to impunity, by bringing to justice without delay perpetrators of grave violations of human rights and of international humanitarian law, with special attention to those responsible for recruitment and use of children as well as for grave violations against women and children, in particular sexual violence, to fully support the human rights mapping exercise initiated in the country by the High Commissioner for Human Rights, and to establish a vetting mechanism to take into account when

they select candidates for official positions, including key posts in the armed forces, national police and other security services, the candidates' past actions in terms of respect for international humanitarian law and human rights;

16. *Recalls* MONUC's mandate to assist in the promotion and protection of human rights, investigate human rights violations with a view to putting an end to impunity, assist in the development and implementation of a transitional justice strategy, and cooperate in national and international efforts to bring to justice perpetrators of grave violations of human rights and international humanitarian law;

17. *Reaffirms* the obligation of all parties to comply fully with the relevant rules and principles of international humanitarian law relating to the protection of humanitarian and United Nations personnel, and *also demands* that all parties concerned grant immediate, full and unimpeded access by humanitarian personnel to all persons in need of assistance, as provided for in applicable international law;

18. *Requests* MONUC, in view of the scale and severity of sexual violence committed especially by armed elements in the Democratic Republic of the Congo, to undertake a thorough review of its efforts to prevent and respond to sexual violence, and to pursue a comprehensive mission-wide strategy, in close cooperation with the United Nations Country Team and other partners, to strengthen prevention, protection, and response to sexual violence, including through training for the Congolese security forces in accordance with its mandate, and to regularly report, including in a separate annex if necessary, on actions taken in this regard, including factual data and trend analyses of the problem;

19. *Encourages* MONUC to enhance its interaction with the civilian population, in particular internally displaced persons, to raise awareness about its mandate and activities;

20. *Takes note* of the benchmarks presented by the Secretary-General for a future gradual drawdown of MONUC, *encourages* MONUC to focus the activities of all its components on helping the Congolese authorities to achieve those benchmarks, and *requests* the Secretary-General to further develop the benchmarks and to report regularly to the Council on the progress made in this regard, including on the application of the United Nations integrated missions planning process (IMPP);

21. *Requests* the Secretary-General to continue to report regularly, and at least every three months, on the situation in the Democratic Republic of the Congo and on MONUC's activities, including on the issues referred to in paragraphs 7, 18 and 20 above;

22. *Decides* to remain actively seized of the matter.

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Letter dated 28 November 2007 from the Secretary-General addressed to the President of the Security Council

I wish to refer to an exchange of letters between my predecessor and the President of the Security Council in November 2001 (S/2001/1128 and S/2001/1129) relating to the establishment of the United Nations Office for West Africa (UNOWA). I also wish to refer to an exchange of letters between my predecessor and the President of the Security Council in October 2004 (S/2004/797 and S/2004/858) relating to the extension of the mandate of UNOWA for three years, from 1 January 2005 to 31 December 2007, subject to a mid-term review. In that connection, it would be recalled that on 18 May 2007, I transmitted to the Council a mid-term review of the activities and performance of UNOWA prepared by an independent consultant from September 2006 to November 2006 (S/2007/294, annex).

The importance of the work of UNOWA has been acknowledged on several occasions, including in the Security Council presidential statement adopted on 25 February 2005 (S/PRST/2005/9), following the Council's debate on the progress report of the Secretary-General on ways to combat subregional problems in West Africa (S/2005/86). The Council noted with appreciation the enhanced cooperation among the various United Nations political and peacekeeping missions in the subregion, and encouraged UNOWA to promote an integrated and joint subregional approach to conflict prevention. Furthermore, in its presidential statement of 9 August 2006 (S/PRST/2006/38), the Council emphasized the regional dimension of peace and security in West Africa, and encouraged the Special Representative of the Secretary-General for West Africa and the United Nations missions in the region to continue their efforts in coordinating United Nations activities to ensure their improved cohesion and maximum efficiency. On 13 March 2007, I submitted to the Security Council, at its request, a report on cross-border issues in West Africa (S/2007/143), with recommendations for enhancing United Nations inter-institutional cooperation in the region on these issues.

UNOWA has continued to increase awareness of and to facilitate concerted and integrated action on key subregional challenges, which the Security Council and the Secretariat consider to be among the root causes of instability in West Africa. The Office has helped formulate recommendations and strategies on how best to address those issues, notably through national and cross-border collaboration among United Nations entities in the subregion, including United Nations political and peacekeeping missions as well as governmental and non-governmental actors.

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Concerning collaboration among United Nations peace missions in the subregion, as recommended by the Security Council in its presidential statement of 25 May 2004 (S/PRST/2004/17) and underscored in my predecessor's report of 2 March 2005 on inter-mission cooperation (S/2005/135), my Special Representative for West Africa continues to convene quarterly meetings between the heads of the various political and peacekeeping missions in West Africa. Those meetings have been instrumental for the sharing of information and perspectives on political developments in the respective mission areas and their regional impact on peace, security and stability. In addition, UNOWA continues to facilitate inter-mission cooperation at the military level through regular meetings of United Nations force commanders and military advisers, as well as at the expert level regular meetings of officers in charge of human rights, humanitarian, gender issues and disarmament, demobilization and reintegration. Furthermore, UNOWA seeks to enhance synergy and complementarity with United Nations missions in the sharing of assets, notably with a view to maximizing the use of United Nations resources. In this context, the Office shares air assets with other United Nations operations and agencies in the subregion and collaborates with United Nations specialized agencies on integrated cross-border strategies and joint activities, often with the involvement of civil society organizations, as appropriate.

During its current mandate, UNOWA has continued to strengthen its cooperation with the Economic Community of West African States (ECOWAS), as defined in a joint workplan covering good offices and participation in joint high-level missions (most recently during the January 2007 developments in Guinea); regular meetings between the focal points of both institutions; working group meetings; activities in the field; and cooperation through the UNOWA/ECOWAS/European Union troika framework and the International Contact Groups for the Mano River Basin and on Guinea-Bissau. In the context of its work on integrated strategies for border areas, the Office contributed to the implementation of the ECOWAS initiative on borders as zones of peace and has helped raise awareness on the following four security challenges in West Africa, and the related international response: irregular migration; security threats and illicit trafficking and piracy; the use and effectiveness of sanctions; and the consequences of rapid urbanization.

As highlighted in the recent report on the mid-term review of the work of UNOWA (S/2007/294), efforts aimed at promoting an integrated subregional approach to the complex peace and security challenges facing West Africa require long-term sustained interaction between regional States and institutions and their international partners, including the United Nations system. Much progress has been made but even more remains to be done to build on the momentum and to make the progress irreversible.

In light of the foregoing, I would like to recommend that the mandate of UNOWA, whose functions and activities would be revised as reflected in the document annexed hereto, be extended for a further period of three years, from 1 January 2008 to 31 December 2010, subject to a mid-term review to be conducted in 2009.

I should be grateful if you would bring the present letter to the attention of the members of the Security Council.

(*Signed*) **Ban** Ki-moon

Annex

Mandate and functions of the United Nations Office for West Africa from January 2008 to December 2010

I. Mandate

The United Nations Office for West Africa (UNOWA) is entrusted with the overall mandate of enhancing the contribution of the United Nations towards the achievement of peace and security priorities in West Africa.

II. Objectives, functions and activities

In the performance of its mandate, UNOWA will pursue the following objectives and fulfil the functions and related activities as noted below:

Objective 1
Enhance capability within West Africa towards a harmonized subregional approach to peace and security

Function 1.1

Facilitate systematic and regular linkages in the work of the United Nations in the subregion for defining and harmonizing national and subregional policies and strategies, with due regard to specific mandates of United Nations organizations, as well as peacekeeping operations and peacebuilding support offices.

Activities

- Facilitate inter-mission and inter-agency cooperation among United Nations missions in the subregion at the political level (for example, holding quarterly meetings of the heads of peace missions in West Africa); at the military level (regular meetings of United Nations force commanders and military advisers assigned in the subregion); and at the expert level (regular meetings of officers in charge of human rights, humanitarian, security sector reform, economic governance and gender issues).
- Hold regular consultations of heads of United Nations regional agencies for West Africa to develop common strategies.
- Establish and conduct activities of subregional working groups aiming to foster greater interaction among the various planning and response tools being used by the United Nations system.
- Identify and raise awareness on emerging threats to peace and security (i.e. drug trafficking, human trafficking, irregular migration, unattended socio-economic tensions and the impact of natural disasters on the livelihood of people). Particular attention will be given to the Sahelian band and fragile States.
- Identify positive trends and promote activities in consultation with and participation of the private sector, including civil society organizations, to raise awareness of subregional issues and United Nations approaches.

- Reinforce cooperation on cross-cutting issues, including the rule of law, economic issues, human rights and gender issues aimed at mainstreaming them in the deliberations/recommendations of joint initiatives with Governments, civil society, the academic and private sectors, and other partners in the region.
- Make use of UNOWA's leverage, political and strategic network to rally international support to subregional efforts and national commitments to tackle cross-cutting threats to human security and subregional peace.

Function 1.2

Liaise with and assist, as appropriate, the Economic Community of West African States (ECOWAS), the Mano River Union and other key partners in their promotion of peace and stability in the subregion.

Activities

- Implement and update the joint programme of work developed by UNOWA and the ECOWAS Commission to address selected areas relating to conflict prevention and peacebuilding.
- Assist the ECOWAS Commission in the implementation of its comprehensive Strategic Conflict Prevention Framework, as well as the ECOWAS Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security.
- Implement subregional action plans, strategies and recommendations formulated with/by ECOWAS and other key partners, including the civil society and the private sector.
- Promote awareness of the need to address the protection of children, youth, and women during crises as priority issues in West Africa.
- Strengthen cooperation with the International Contact Group for the Mano River Basin.
- Strengthen cooperation with international partners, including the European Union (within the agreed framework of ECOWAS/European Union/UNOWA cooperation) and the Bretton Woods institutions, as well as regional partners such as civil society organizations and the private sector.

Function 1.3

Perform good offices role in countries of the subregion on conflict prevention and peacebuilding efforts.

Activities

- Identify situations that could generate tension and fuel local, national or cross-border conflicts.
- Carry out good offices functions and special assignments in countries of the subregion, on behalf of the Secretary-General.

- Facilitate the development of an integrated subregional early warning and monitoring system among the United Nations entities and other regional partners active on peace operations in West Africa.

- Promote an integrated subregional approach by supporting and partnering with ECOWAS and other subregional partners in their conflict prevention and peacebuilding efforts.

Objective 2

Enhance efforts towards addressing cross-border issues, including good governance practices and measures; mainstreaming security sector reform into development strategies; formulating a meaningful, effective and integrated subregional approach that encompasses priorities and concerns related to humanitarian, human rights and gender issues; curbing corruption, youth unemployment, rapid urbanization, transitional justice and cross-border illicit activities

Function 2.1

Promote good governance practices and confidence-building measures, including curbing corruption and improving electoral processes.

Activities

- Undertake regular consultations and contribute to the deepening of civic education aimed at strengthening democratic, transparent and accountable governance in the States of the subregion.

- Assist ECOWAS and its member States in their efforts to improve electoral processes through a more robust election-monitoring capacity.

- Follow up on implementation of a subregional approach to the greater involvement of women in peace and security issues, within the framework of the implementation of United Nations Security Council resolution 1325 (2000).

- Facilitate the identification of practical ways of curbing or minimizing emerging or potential tensions in specific border areas of West Africa, including through the formulation of integrated border strategies. Assist ECOWAS in the implementation of its initiative on borders as zones of peace.

Function 2.2

Integrated approach to security sector reform as part of economic development strategies.

Activities

- Undertake broad consultations with Governments, and, in particular, security institutions, civil society and development partners on gender, poverty alleviation, human rights and humanitarian mainstreaming in security sector reforms.

- Promote capacity-building of armed and security forces in civic, human rights, humanitarian and gender approaches as part of security sector reforms.

Function 2.3

Develop and promote better knowledge and awareness of subregional problems confronting West Africa.

Activities

- Undertake studies, organize forums and seminars and help develop practical and concerted strategies for addressing current and emerging issues, including the subregional dimensions of youth unemployment, fast growing urbanization, security sector reform, transitional justice, the proliferation of small arms and light weapons, drug and human trafficking, piracy and terrorist threats.
- Prepare periodic updates on the subregional impact of conflict situations on sustainable peace and development.
- Develop targeted public information strategies on subregional issues in West Africa, with a focus on human rights and economic governance and their impact on peace and security. These activities would continue to be organized in cooperation with the relevant United Nations entities and partners in the subregion, including key civil society organizations and the private sector.

Function 2.4

Strengthen cooperation with the ECOWAS Commission and with representatives of ECOWAS member States at ECOWAS headquarters in Abuja, focusing on governance and development issues.

Activities

- Assist ECOWAS in the implementation of its new Strategic Vision for Regional Development, adopted at the ECOWAS Heads of State Summit in Abuja on 15 June 2007; as well as its Protocol on the Free Movement of Persons and on the Right of Residence and Establishment.
- Assist ECOWAS in the implementation of its Protocol on Democracy and Good Governance, including through regular working group sessions as well as joint programmes and activities.
- Increase the participation of the public sector, civil society (including non-governmental organizations, women's groups, community leaders and traditional elders), the academic community and the private sector in ECOWAS-UNOWA joint initiatives and activities addressing governance issues and challenges.

Objective 3
Carry out additional tasks assigned by the Secretary-General and the Security Council

Function 3.1

Facilitate the implementation of the International Court of Justice ruling of 10 October 2002 on the land and maritime boundary dispute between Cameroon and Nigeria.

Activities

- Assist the Cameroon-Nigeria Mixed Commission in the implementation of activities related to its mandate, including the demarcation of the land boundary between the two countries; the civilian observation following the peaceful and orderly transfer of authority in the Lake Chad area, along the land boundary and in the Bakassi peninsula.
- Assist the follow-up committee in monitoring the implementation of the Greentree Agreement (12 June 2006) on the withdrawal and transfer of authority in the Bakassi peninsula.
- Assist the Cameroon-Nigeria Mixed Commission in addressing issues related to the needs of the affected populations in border areas and in the Bakassi peninsula.
- Assist the Cameroon-Nigeria Mixed Commission to make recommendations on confidence-building measures, such as the development of projects to promote joint economic ventures and cross-border cooperation, and the revitalization of the Lake Chad Basin Commission.

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Security Council

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Letter dated 21 December 2007 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 28 November 2007 (S/2007/753) concerning the United Nations Office for West Africa (UNOWA) has been brought to the attention of the members of the Security Council.

The members of the Council concur with your recommendation to extend the mandate of UNOWA for a further period of three years from 1 January 2008 to 31 December 2010. In this regard, the members of the Council encourage you to actively explore the possibility of direct contributions from Members States, in addition to resources from within the United Nations.

The members of the Council also take note of your intention to revise the functions and activities of UNOWA as reflected in the document annexed to your letter. The members of the Council request you to report to the Council every six months on the fulfilment by UNOWA of its revised mandate.

(*Signed*) Marcello **Spatafora**
President of the Security Council

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PBC/2/BDI/5

United Nations

General Assembly
Security Council

Peacebuilding Commission

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General Assembly
Sixty-second session
Item 10
Report of the Peacebuilding Commission

Peacebuilding Commission
Second session

Security Council
Sixty-second year

Identical letters dated 10 December 2007 from the Chairman of the Peacebuilding Commission and the Chairman of the Burundi configuration of the Peacebuilding Commission to the President of the Security Council, the President of the General Assembly and the President of the Economic and Social Council

We have the honour to refer to the Monitoring and Tracking Mechanism of the Strategic Framework for Peacebuilding in Burundi (PBC/2/BDI/4), jointly developed by the Government of Burundi and the Burundi configuration of the Peacebuilding Commission.

The Burundi configuration of the Peacebuilding Commission adopted the Monitoring and Tracking Mechanism at its formal meeting, held on 5 December 2007, following a series of consultations led by the Government of Burundi in Bujumbura and informal meetings held in New York. The Mechanism completes the work on the Strategic Framework transmitted to you on 21 June 2007.

(*Signed*) Yukio **Takasu**
Chairman
Peacebuilding Commission

(*Signed*) Johan L. **Løvald**
Chairman
Burundi Configuration
Peacebuilding Commission

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A/62/607–S/2007/756
PBC/2/SLE/3

United Nations

General Assembly
Security Council

Peacebuilding Commission

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General Assembly
Sixty-second session
Item 10
Report of the Peacebuilding Commission

Peacebuilding Commission
Second session

Security Council
Sixty-second year

Identical letters dated 12 December 2007 from the Chairman of the Peacebuilding Commission and the Chairman of the Sierra Leone configuration of the Peacebuilding Commission to the President of the Security Council, the President of the General Assembly and the President of the Economic and Social Council

We have the honour to refer to the Sierra Leone Peacebuilding Cooperation Framework (PBC/2/SLE/1).

Recalling the original request of the Security Council for advice on Sierra Leone and in accordance with the mandate of the Peacebuilding Commission to advise on and propose integrated strategies for post-conflict peacebuilding and recovery, the Peacebuilding Commission and the Government of Sierra Leone, in consultation with all relevant national and international stakeholders, have developed the above-mentioned Peacebuilding Cooperation Framework.

The Framework is a medium-term document for partnership and mutual accountability, which describes specific actions that the Government of Sierra Leone and the Peacebuilding Commission have committed themselves to taking to address the challenges and threats most critical for sustaining and consolidating peace. The Peacebuilding Commission will use the Framework to enhance dialogue and strengthen the partnerships between Sierra Leone and its international partners.

The Peacebuilding Commission welcomes the efforts of the Government of Sierra Leone and the United Nations Integrated Office in Sierra Leone to ensure national ownership of the Framework. The Peacebuilding Commission encourages all stakeholders to cooperate with the Government of Sierra Leone and the Peacebuilding Commission to implement the Framework, and to continue to support efforts for peace consolidation in Sierra Leone.

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The Peacebuilding Commission reiterates its determination to provide unflagging support to Sierra Leone in the consolidation of peace with a view to securing a future that is free from fear and want.

(*Signed*) Yukio **Takasu**
Chairman
Peacebuilding Commission

(*Signed*) Frank **Majoor**
Chairman
Sierra Leone configuration of the Peacebuilding Commission

United Nations A/62/609–S/2007/757

General Assembly
Security Council

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General Assembly
Sixty-second session
Agenda item 66 (a)
Promotion and protection of the rights of children

Security Council
Sixty-second year

Children and armed conflict

Report of the Secretary-General

I. Introduction

1. The present report is submitted pursuant to Security Council presidential statement (S/PRST/2006/48), by which the Council requested me to submit a report on the further progress in the implementation of resolutions 1612 (2005), 1379 (2001), 1460 (2003) and 1539 (2004). In accordance with the Council's request, the report includes information on compliance in ending the recruitment and use of children in armed conflict in violation of applicable international law and other grave violations being committed against children affected by armed conflict.[1] The report also includes information on progress made in the implementation of the monitoring and reporting mechanism; information on progress made in the development and implementation of action plans (called for in para. 7 of resolution 1612 (2005)); and information on the mainstreaming of child protection in United Nations peacekeeping operations.

2. Pursuant to Security Council resolutions 1379 (2001), 1460 (2003), 1539 (2004) and 1612 (2005), the report covers compliance in ending the recruitment and use of children and other grave violations, including the killing and maiming of children, rape and other sexual violence, abductions, denial of

[1] Applicable international law relating to the rights and protection of children in armed conflict include, in particular, the Geneva Conventions of 1949 and obligations applicable under the Additional Protocols thereto of 1977, the Convention on the Rights of the Child of 1989, the Optional Protocol thereto of 25 May 2000, and the amended Protocol II to the Convention on Prohibitions or Restriction on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, International Labour Organization Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour and the Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction.

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humanitarian access to children and attacks against schools and hospitals by parties to armed conflict.

3. The preparation of the present report involved broad consultations within the United Nations, in particular with the Task Force on Children and Armed Conflict at Headquarters, country-level task forces on monitoring and reporting, peacekeeping and political missions and United Nations country teams, as well as with concerned Member States and non-governmental organizations (NGOs). Country-level task forces on monitoring and reporting, peacekeeping and political missions, and United Nations country teams are the primary sources of information for the report.

4. References to reports, cases, incidents, and so on in the present report refer to information that is gathered, vetted and verified for accuracy. In situations where access to, obtaining or independently verifying information received is hampered by factors such as insecurity or access restrictions, it is qualified as such.

5. Pursuant to Security Council resolution 1612 (2005), in identifying the situations that fall within the scope of her mandate, my Special Representative for children and armed conflict was guided by the criteria for determining the existence of an armed conflict found in international humanitarian law and international jurisprudence.[2] In the performance of her mandate, my Special Representative has adopted a pragmatic and cooperative approach to this issue, with a humanitarian emphasis, focusing on ensuring broad and effective protection for children exposed and affected by conflict in situations of concern. Reference to a situation of concern is not a legal determination and reference to a non-State party does not affect its legal status.

II. Cross-cutting issues of concern

6. Recruitment of children and internal displacement are closely linked, such as in Colombia, as too often displacement becomes the only avenue left for families in certain areas to avoid their children's recruitment by armed groups. On the other hand, evidence suggests that refugee and internally displaced person camps are often prime recruiting grounds for child soldiers owing to the convenient concentration of vulnerable children. The lack of security around these camps is said to be an important factor that increases the likelihood of child recruitment. During the reporting period, there have been reports that the Karuna faction have abducted and recruited children from internally displaced person camps in Sri Lanka. In the Democratic Republic of the Congo, children have been recruited from internally displaced person camps in North Kivu Province by forces loyal to rebel leader Laurent Nkunda during the recent upsurge in violence.

7. The movement of armed groups across borders to recruit children from refugee camps continues to be alarming. Along the Sudan-Chad border, both Sudanese and Chadian armed groups are recruiting children from Sudanese refugee camps in eastern Chad, while Chadian refugee children are being recruited by Sudanese rebel groups in Darfur. Since January 2007, there has also been a surge in the recruitment and use of Congolese and Rwandan children in North Kivu from refugee camps and communities in Rwanda by forces loyal to Laurent Nkunda, as well as Ugandan

[2] See, for example, common article 2 to the four Geneva Conventions of 1949, article 1 of Additional Protocol II of 1977 thereto; J. Pictet, editor, *Commentary to the IV Geneva Convention* (1958), p. 20; and *Tadic*, IT-94, International Tribunal for the Former Yugoslavia Appeals Chamber, 2 October 1995.

children from the Democratic Republic of the Congo-Uganda border areas. The transportation of vulnerable children by both the Government and rebel groups across borders during armed conflict constitutes one of the worst forms of child trafficking.

8. Girls, and sometimes boys, are targeted with various forms of sexual and gender-based violence, including rape, during armed conflicts. The perpetration of sexual violence against children by State and non-State parties to conflict is prohibited by international humanitarian law and is a violation of human rights. In Darfur, rape is a method of warfare used by armed groups to deliberately humiliate and to force displacement of girls and their families. In the Great Lakes region, especially in the Democratic Republic of the Congo and Burundi, the United Nations High Commissioner for Human Rights indicated appalling levels of sexual and gender-based violence. For example, 60 per cent of the cases recorded in Kisangani, northern Democratic Republic of the Congo, involved victims between the ages of 11 and 17. It is imperative that perpetrators of acts of rape and other sexual violence which leave a long-term, devastating impact on the victims are prosecuted in accordance with the gravity of such crimes. The recent decision of the International Criminal Court to open an investigation in the Central African Republic on allegations of rape and other sexual crimes committed in the context of armed conflict between the Government and rebel forces is an important step towards that end.

9. Increasingly, we are also encountering cases of children being detained for alleged association with armed groups in violation of international standards, for example in Burundi, Colombia, the Democratic Republic of the Congo, Iraq, Israel and the Philippines. Many of the detained children are subjected to ill treatment, torture, forceful interrogation and deprivation of food and education. The children also lack recourse to prompt and appropriate legal assistance, and usually are not separated from adults. In certain situations, some of these children have been used as guides and informers for Government military operations, usually under coercion. During the reporting period, some children have been released owing to United Nations advocacy efforts, such as in Burundi and the Democratic Republic of the Congo; however, many children remain in detention centres, local prisons, interrogation centres and holding camps.

10. Systematic and deliberate attacks on schoolchildren, teachers and school buildings have, since the last reporting period, escalated in certain conflict situations, warranting the increased attention of, and action by, the international community. In Afghanistan, insurgents continue to burn down schools, especially girls' schools, in an effort to intimidate and prevent girls from accessing education. In Iraq, students are also targets of violent crimes and sectarian killings, especially in Baghdad and Mosul. Killings of teachers, closures of schools and children's fear of being abducted have contributed to a dramatic decrease in school attendance rates.

11. Despite the continuing commitment of the Government of Thailand to ensuring children's access to education, of increasing concern are the disruptions in schools experienced in the south of the country owing to violent attacks on schools, children and teachers by armed elements. In March 2007, three students were killed and seven injured in an attack at a boarding school in Songkhla, and five primary school students were injured when their bus was fired at in Narathiwat. So far, 73 teachers have been killed and more than 100 schools have been burned down, including 11 schools in June 2007 alone, in Raman district, Yala Province. Efforts by the

Government to keep educational facilities available for all children in the region are commendable.

12. Since the last reporting period, important precedents have been set to end impunity for crimes against children, particularly the recruitment and use of children by Government forces or armed groups. These include the confirmation of charges by the International Criminal Court against Thomas Lubanga Dyilo, founder and leader of the Union of Congolese Patriots in the Ituri region of the Democratic Republic of the Congo, for the conscription and enlistment of children under the age of 15 and the use of children for active participation in hostilities and the arrest warrants issued by the Court for five senior members of the Lord's Resistance Army (LRA), including its leader, Joseph Kony, who is charged with 33 counts of war crimes and crimes against humanity, including the forcible enlistment and use of children in hostilities. Furthermore, for the first time, a former head of State, Charles Taylor of Liberia, is undergoing trial in The Hague before the Special Court for Sierra Leone for 11 counts of war crimes and crimes against humanity, including conscripting or enlisting children into armed forces or groups and using them to participate actively in hostilities. Sentencing by the Special Court for Sierra Leone of Alex Tamba Brima, Brima Bazzy Kamara and Santigie Borbor Kanu of the Armed Force Revolutionary Council and the conviction of Allieu Kondewa of the Civil Defence Forces militia for the recruitment and use of child soldiers send an important message that such crimes against children will not be tolerated and that those who engage in the practice will be brought to justice. Notwithstanding international efforts, national authorities must also promptly commence appropriate national prosecutions for grave crimes against children.

13. The use of indiscriminate weapons, such as cluster munitions during attacks in areas of civilian concentration, has a severe impact on civilians, particularly children, even long after the conflicts have ended. In southern Lebanon, for example, children continue to be injured and killed by the large number of unexploded submunitions remaining from the 2006 conflict. It is imperative that a legally binding international instrument be developed to prohibit the use of cluster munitions which cause harm to civilians.

14. There has been less focus on the reintegration of children associated with armed groups than on disarmament and demobilization in post-conflict situations. As the prospects for recovery in most countries also depend on the successful reintegration of these children, peacebuilding efforts should address children's protection and reintegration needs in the initial planning and implementation of peacebuilding operations. Long-term recovery and development programmes, linked to disarmament, demobilization and reintegration, should be community based, in order to provide sustainable and successful reintegration for these children.

III. Information on compliance and progress in ending the recruitment and use of children and other violations against children

15. The present report provides information on developments covering the period from October 2006 to August 2007. Reports on children and armed conflict in Burundi, Chad, Côte d'Ivoire, the Democratic Republic of the Congo, Nepal, Sri Lanka, Somalia, the Sudan and Uganda were also submitted to the Security Council and its Working Group on Children and Armed Conflict in the reporting period.

16. Progress made by the parties listed in annexes I and II to the present report, and named in the body of my 2006 report (A/61/529-S/2006/826), has been assessed with respect to whether they have ceased recruiting and using child soldiers and whether they have refrained from committing other grave violations against children. Progress made by the parties is also assessed with respect to whether they have engaged in dialogue with the country-level task force on monitoring and reporting or United Nations country teams (as called for in Security Council resolution 1539 (2004)), and whether through that dialogue, or in the context of other processes, such as disarmament, demobilization and reintegration programmes or the signing of peace agreements, they have developed and implemented action plans to end the use of child soldiers and released all children from their ranks.

17. Parties who fully comply with terms set forth in action plans and undertake verified measures to address all the other grave violations for which they have been cited, to the satisfaction of the country-level task forces on monitoring and reporting or United Nations country teams and the Task Force on Children and Armed Conflict, will be considered for de-listing from the annexes. De-listing does not in any way negate the requirement for continued monitoring of formerly listed parties by the country-level task force on monitoring and reporting or the United Nations country team. Should it be determined that de-listed parties recruit and use children at a later point in time or fail to allow continuous and unhindered access to the United Nations for verification, they will be re-listed onto the annexes and the Security Council alerted to non-compliance.

18. A noteworthy achievement has been realized with the parties to conflict in Côte d'Ivoire, where no new cases of recruitment of children have been recorded since the last reporting period. The Forces armées des Forces nouvelles (now Forces de défense et de sécurité des Forces nouvelles, FDS-FN) and the four armed militias, namely, the Front pour la libération du Grand Ouest (FLGO), the Mouvement ivoirien de libération de L'Ouest de la Côte d'Ivoire (MILOCI), the Alliance patriotique de l'ethnie Wé (APWé) and the Union patriotique de resistance du Grand Ouest (UPRGO) in Côte d'Ivoire have ceased recruitment and taken concerted measures to identify and release children associated with their forces for rehabilitation since signing action plans in October 2005 and September 2006, respectively.

A. Information on compliance and progress in situations on the agenda of the Security Council

Developments in Afghanistan

19. The security situation in Afghanistan has deteriorated during the reporting period, with children continuing to be the victims of the conflict between anti-Government elements, including the Taliban, and national and international security forces, namely, the United States-led Coalition as well as the North Atlantic Treaty Organization-led International Security Assistance Forces (ISAF). Weak governance and judicial system, as well as the inadequate coverage by the Afghan security forces in insurgency-affected areas, have contributed to the lack of protection afforded to children affected by the conflict. Indiscriminate attacks and disproportionate use of force by the Taliban and other armed elements, including the use of car bombs, suicide attacks and improvised explosive devices, directed at national and international forces have caused a high number of child deaths and injuries. Many of these attacks have taken place in densely populated areas or in the

vicinity of popular gatherings. From January to July 2007, there were at least 950 civilian deaths as a result of insurgency-related violence, out of which the United Nations Assistance Mission in Afghanistan has documented at least 49 deaths and 19 injuries to children. On 15 June 2007, a suicide attack against an ISAF convoy in Uruzgan Province that was distributing sweets and water to local children resulted in the deaths of four girls and seven boys, aged between 8 and 15 years.

20. Children have also become casualties in military operations against the insurgency, including air strikes by international military forces. Air strikes have in some cases missed their targets and fallen on civilian areas, killing children. On 9 March 2007, nine civilians in Kapisa Province, including four children, were killed in a Coalition military air strike. On 8 May 2007, 21 civilians, including women and children, were reportedly killed in Helmand Province as a result of air strikes that supported ISAF operations. ISAF acknowledged, at the Protection of Civilians Workshop in Kabul in August 2007, that mistakes had been made during operations and informed the United Nations that it continued to adjust operations to minimize civilian casualties.

21. Unexploded ordnance has also caused deaths of and injuries to children during the reporting period. Between August 2006 and July 2007, 295 mine and unexploded ordnance accidents involving children, which account for over 60 per cent of the total number of accidents, resulted in at least 59 deaths.

22. The United Nations remains disturbed by reports of children being used to perpetrate attacks and, in some cases, as human shields by the Taliban and other insurgents. There have been reports that the Taliban have recruited and used children in their activities, such as suicide attacks. This is a relatively new phenomenon, and the United Nations has documented several high-profile cases of children involved in attacks. In February 2007, a boy estimated to be between 12 and 15 years old killed himself and a guard and injured four civilians as he attempted to gain entry to a police station in Khost city, Khost Province. Additionally, a 14-year-old boy was caught wearing a suicide vest on his way to assassinate the Khost provincial governor. No commitments have yet been made by any of these groups to end this practice.

23. Attacks against schools by the Taliban and other anti-Government elements continued, and security incidents affecting schools and threats against students and teachers documented by the United Nations remain a serious concern. Between August 2006 and July 2007, there were at least 133 documented incidents of school attacks. These caused at least 10 reported deaths among students, mainly in the southern provinces. At least 100 attacks in the south were reported in the first six months of 2007. There have been deliberate attacks on female students and women teachers, and girls' schools are particularly targeted. On 12 June 2007, two gunmen killed two schoolgirls and injured six others as they left the Qalay Meadan Girls' School, in Qala-e Saeed Habib area, Logar Province. According to the Ministry of Education, 384 of the total 721 schools in the southern provinces of Helmand, Kandahar, Uruzgan and Zabul are currently closed.

Developments in Burundi

24. The reporting period was characterized by political instability and persistent tensions between the Government and political opposition parties following the President's unilateral Cabinet reshuffle on 13 July 2007. It was equally characterized by the impasse in the implementation of the Comprehensive Ceasefire

Agreement signed by the Government and the armed rebel group Forces nationales de libération (FNL)-Agathon Rwasa on 7 September 2006. Children continue to be associated with FNL. The ongoing recruitment of children by the two factions of FNL-Agathon Rwasa and the smaller break away Jean Bosco (Gateyeri) was of serious concern. However, the FNL-Jean Bosco (Gateyeri) faction is now defunct. From October 2006 to July 2007, 85 cases of recruitment of children were reported throughout the country, with 60 cases occurring in the months following the signing of the Comprehensive Ceasefire Agreement. The upsurge in recruitment by FNL was allegedly aimed at enhancing their bargaining power should further peace negotiations take place, and enabling them to claim increased financial benefits during the demobilization and reintegration phases. Some 48 of the 60 children were students from Gashasa, Rumonge, Marangara and Gashikanwa, in the Bururi and Ngozi Provinces. Most of those children have been released or have defected from FNL ranks owing to the stalled implementation of the Comprehensive Ceasefire Agreement and resulting delays in the distribution of demobilization benefits. On a positive note, 26 children, aged 14 to 18 years, who were previously detained in the former demobilization camp in Randa were released in March 2007 and reintegrated with their families and communities prior to the visit of my Special Representative.

25. The detention of children remains a concern. Progress has nevertheless been achieved during the reporting period, with the release of some children arrested for association with FNL. From October 2006 to July 2007, 49 cases of detention of children accused of participation in armed groups have been reported, notably in the provinces of Bujumbura Mairie and Bujumbura Rural. That represents a 35 per cent increase in such cases since the last reporting period. Many of them had been incarcerated for several months without trial or legal assistance. More than 65 children, held in the Mpimba prison in Bujumbura owing to their former association with FNL, were released in March 2007.

26. As a result of the ceasefire, the number of children killed and maimed in armed clashes between members of the armed forces (Forces de défense nationale (FDN)) and FNL from September 2006 to August 2007 decreased by 30 per cent in comparison with the last reporting period. A total of 40 cases of children killed and maimed by FDN and FNL was reported, with 80 per cent of the victims killed by grenade explosions during looting operations. On 11 December 2006, five children were killed in Taba, Gitega district, when three FDN soldiers threw a grenade into their residence.

27. Rape and other sexual violence against children by members of FNL and some members of the Security Services is also of great concern. More than 30 such cases were reported during the period, 80 per cent of which involved girls. On 6 January 2007, a 4-year-old girl was raped by an FDN soldier in Mugongomana, Bujumbura district. On 19 February, a 16-year-old girl was raped by FNL elements in Nyanza-Lac, Mkamba district.

Developments in the Central African Republic

28. There have been numerous reported cases of recruitment of children by the Union des forces démocratiques pour le rassemblement (UFDR) rebel group, which controls parts of north-eastern Central African Republic. During UFDR attacks on the positions of the Government Forces armées centrafricaines (FACA) and French Army in Birao on 3 and 4 March, some of the rebels were identified as former students of the Birao governmental secondary school. Many of the children, between the ages of 12 and 17 years, who participated in these attacks, were killed.

Further, two out of three schools were partially destroyed by FACA and UFDR following the attack.

29. On 16 June, a tripartite action plan between UFDR, the Government of the Central African Republic and the United Nations Children's Fund (UNICEF) for the reduction and elimination of the recruitment and utilization of child soldiers and their demobilization and reintegration was signed, following which the first group of approximately 200 children were symbolically released. Earlier, in April and May, over 450 children associated with UFDR, 75 per cent of whom were boys aged 13 to 17 years, were demobilized. All these children have since been reintegrated into their families and communities. Approximately 75 per cent of the children had participated in military operations and combat for a sustained period, averaging from nine months to a year, while some had been with armed groups, later associated with UFDR for three years. Ten per cent of the children are as young as 10 years old and were used mainly for logistical support during UFDR operations in 2006 and 2007. It is claimed that the last remaining group of 450 to 500 children had been released to their communities as at September 2007, although this had not yet been verified by the joint Government-UNICEF-UFDR monitoring structure established under the tripartite action plan.

30. A UNICEF mission in June 2007 also confirmed that there were approximately 400 to 500 children, including girls, associated with the rebel groups, the Armée populaire pour la restauration de la démocratie (APRD) and Front démocratique pour le peuple centrafricain (FDPC), both active in the north-western region. APRD and FDPC are increasingly resorting to forced recruitment of children in their areas of influence. In March and again in June 2007, APRD requested for assistance from the United Nations country team to demobilize child soldiers in its ranks. Although informal dialogue with APRD to prevent recruitment and to demobilize and reintegrate children associated with its ranks is under way, formal negotiations are hampered by insecurity in the north-western region.

31. Reprisals by FACA IN villages suspected of assisting rebels in areas such as Bemal-Boguila, Kabo, Batangafo and Kaga-Bandoro have resulted in massive displacement, death and injury among the civilian population, particularly children. During the reporting period, UNICEF and United Nations partners recorded approximately 1,389 houses, 7 schools and 3 health centres partially or completely destroyed, torched or looted in the areas of Kaga-Bandoro and Ouandago and 203 houses, 2 schools and 1 health centre destroyed in the areas of Kaga-Bandoro and Dekoa.

32. Owing to the heavy presence of rebel groups in the areas of the Batangafo-Kabo-Ouandago "triangle", there has been a 75 per cent increase in sexual and gender-based violence reported, compared with the number of cases reported in 2006. According to UNICEF, 15 per cent of women and girls in the northern region of the country have been raped. United Nations partners also report that between Batangafo and Bokamgaye, many young girls are forcibly taken as wives for rebels and forced to perform sexual favours in exchange for movement across the numerous checkpoints set up by these rebel groups.

Developments in Côte d'Ivoire

33. Following the signing of the Ouagadougou Political Agreement on 4 March 2007 between President Laurent Gbagbo and Secretary-General of the Forces nouvelles, Guillaume Soro, the "zone of confidence" separating the rebel-held North

and the Government-controlled South was dismantled, creating a new momentum for the peace process.

34. During the reporting period, there was no substantiated evidence of active recruitment and use of children by armed groups. The United Nations has been able to regularly monitor the association of children with fighting forces as part of the implementation of action plans agreed with FDS-FN and four armed militias, namely, FLGO, MILOCI, APWé and UPRGO. FDS-FN renewed its commitment to the action plan to put an end to such association of children with their forces. On 26 January 2007, FDS-FN submitted a letter to UNICEF requesting support to complete the implementation of the action plan, followed by the immediate action by FDS-FN to complete the identification of remaining children associated with their forces. On 14 August 2007, FDS-FN submitted a report to my Special Representative for Côte d'Ivoire detailing action taken to finalize the implementation of the action plan, where 85 children, including 27 girls, were identified.

35. Similarly, the four militia groups have worked closely with the United Nations Operation in Côte d'Ivoire, UNICEF, the newly integrated command centre, which is responsible under the Ouagadougou Agreement for the disarmament and demobilization phases of the disarmament, demobilization and reintegration process and the Programme national de réinsertion et de réhabilitation communautaire (PNRRC), which oversees the reintegration programmes, to implement their commitments under the action plan, which included the designation of focal points by the militias. In April 2007, the focal points began the process of identifying children associated with their forces in Guiglo, Toulépleu, Bloléquin, Tai, Zagné, Duékoué and Bangolo. This resulted in the identification and registration of 204 children, including 84 girls, all of whom are now being assisted through UNICEF programmes.

36. As it has been determined that the FDS-FN and the four militia groups have implemented the action plans and continue to allow unhindered access to the United Nations to monitor compliance, they shall be removed from the lists annexed to my report this year. However, the country-level task forces on monitoring and reporting, supported by a verification commission, will continue to monitor the groups' compliance with the action plans, to ensure that continuous efforts are made to prevent the recruitment and use of children and greater emphasis is accorded to the rehabilitation and reintegration of children who have been released.

37. While there has been a decline in reported cases of killings, children continue to lose their lives as a direct result of the conflict environment. Many of the killings are not investigated, and the perpetrators, who may be private members of the community or uncontrolled elements of the various armed groups, are rarely identified. Incidents of rape and other grave sexual violence against children also remain alarmingly high, particularly owing to the prevailing culture of impunity. The Government and FDS-FN have been slow to undertake any rigorous and timely investigations to prosecute the perpetrators.

Developments in the Democratic Republic of the Congo

38. There has been a decrease in the number of cases of recruitment of children in the reporting period, which can be attributed to several factors, including the progress made in the implementation of the disarmament, demobilization and reintegration programme for children, the army integration process, the decrease in the number of active fighting zones and persistent lobbying by child protection

networks against the recruitment of children. Despite this overall trend, all the parties to conflict listed in my 2006 report (A/61/529-S/2006/826) continue to recruit, use and abduct children. The presence of children in the Forces armées de la République démocratique du Congo (FARDC) integrated and non-integrated brigades remains high, particularly in the Ituri district and the two Kivu Provinces. In South Kivu, the presence of at least 25 children, including girls, among the ranks of FARDC integrated 3rd and 8th brigades has been documented. On 4 January 2007, following the fighting in North Kivu in November 2006, the Government reached an agreement with rebel commander Laurent Nkunda, allowing for the *mixage* (integration) of Nkunda's troops with FARDC units. The *mixage* resulted in the de facto presence of many children among the ranks of the new FARDC mixed brigades and their use for active combat against the Forces démocratiques de libération du Rwanda (FDLR). Despite the agreement, Nkunda and troops loyal to him rebelled at the end of August 2007, and fighting with FARDC troops resumed. An increase in child recruitment by Nkunda and forces aligned with him has been reported since. Several schools in the area have also been closed owing to attempts by Nkunda elements to forcibly recruit students.

39. Reports also indicate that increased recruitment activities were carried out in North Kivu, as well as in Rwanda and Uganda, prior to and throughout the *mixage* process. This surge appears to be linked to the strategy of commanders loyal to Laurent Nkunda to increase the number of troops to be mixed and the strength of forces prior to engaging in combat operations against FDLR and the Mai-Mai in North Kivu. Children who escaped or were separated indicated that recruitment was ongoing in the returnee settlements of Buhambwe, Masisi territory, the Kiziba and Byumba refugee camps in Rwanda, in the towns of Byumba and Mutura in Rwanda and in the town of Bunagana on the border between the Democratic Republic of the Congo and Uganda. On 29 January 2007, a 16-year-old boy from Uganda stated that he had been forcibly recruited along with five other Ugandan children in Bunagana by Adjudant chief "Eric" and Major Janvier, who operate under the command of Colonel Saddam of the 836th battalion, loyal to Laurent Nkunda. Following his recruitment, the boy, together with other newly recruited children, was taken to Mushake for the *mixage* of the FARDC Charlie Brigade. As at 30 August 2007, 13 Congolese children recruited in the refugee camps in Rwanda and 17 Rwandan children, 11 recruited in Rwanda and 6 recruited in the Democratic Republic of the Congo, had been separated from the FARDC mixed brigades. In addition, a group known as the Association des jeunes refugiés congolais, reportedly linked to Laurent Nkunda, had been actively recruiting Congolese ethnic Tutsi children and young people in the Kibuye camp since July 2006.

40. In May 2007 the Office of the United Nations High Commissioner for Refugees (UNHCR) undertook a joint assessment visit with the Rwandan authorities to the refugee camps in Rwanda to verify reports of child recruitment and devise protective and responsive mechanisms, such as enhancing sensitization of the refugee community with more involvement by the local authorities, improving the control of exit of children from the camps and ensuring that those accused of recruiting children were charged and brought to justice. The Rwandan Government has undertaken an investigation following the recruitment of eight children from the Kiziba refugee camp on 24 July 2007, allegedly for deployment to South Kivu. The outcome of the investigation is pending.

41. In Ituri, although numbers are lower than in the previous reporting period, child recruitment by the Front des nationalistes et intégrationnistes (FNI) and the Front de résistance patriotique en Ituri (FRPI) continues. In particular, during the

third phase of the disarmament, demobilization and reintegration process in Ituri, which began on 4 August 2007, more than 40 children were reportedly re-enrolled by forces loyal to Peter Karim Udaga. Although 2,900 ex-combatants had been demobilized as at 16 August 2007, it is estimated that FNI, FRPI and the Mouvement révolutionnaire congolais (MRC) still have 1,500 elements, including children, that did not surrender. FNI has also been responsible for actively obstructing the separation of children during the disarmament process.

42. Mai-Mai groups still active in North and South Kivu continue to use children. There are reports of child recruitment by Colonel Abdou Panda, former commander of the 121st Mai-Mai brigade based in Lubarika, Ruzizi Plain, South Kivu. In December 2006, 107 children were released from his group at the *brassage* centre of Luberizi. In May 2007, the presence of 30 children, including girls, among the Mai-Mai group Baleine, under the command of Colonel Jackson, was reported in Bingi, North Kivu. Further, owing to the recent phase of conflict in North Kivu, recruitment of children by Mai-Mai groups has also escalated. In August 2007, more than 50 children have been recruited by Mai-Mai groups in Nyamilima, Rutshuru territory, North Kivu. There are also reports of children being held by Mai-Mai groups in Katanga and Maniema Provinces.

43. A decrease in the number of incidents involving the killing and maiming of children was recorded during the reporting period, in comparison with the preceding year. However, children continue to be victims of attacks and clashes between FARDC integrated and non-integrated units, armed groups in Ituri and FDLR in North and South Kivu. In an incident on 26 and 27 May 2007, the killing of 17 people, including 8 children, and the wounding of at least 28 people, including 21 children, was reportedly committed by FDLR/Rasta in the villages of Nyalbuze, Muhungu and Chihamba in South Kivu.

44. Despite all the initiatives undertaken by the Government to counter sexual violence, including the adoption of two national laws on 20 July 2006, the number of incidents of rape and other sexual violence against children remains extremely high. From October 2006 to July 2007, 10,381 survivors of sexual violence, 37 per cent of whom are children, were identified by United Nations partners in the eastern region of the Democratic Republic of the Congo; a 4 per cent increase since the previous reporting period. In a one-year period until June 2007, at least 1,400 child victims of rape and other sexual violence were registered and received assistance from the United Nations and its partners in South Kivu alone, where the main perpetrators include elements of FARDC, the police and armed elements of FDLR.

45. A total of 4,182 children, including 629 girls, were separated from armed forces and groups in the eastern region of the Democratic Republic of the Congo in the reporting period. In Ituri, 2,472 children, including 564 girls, were separated from MRC, FRPI and FNI militia forces and 10 boys were separated from Mai-Mai forces in the remote area of Opienga, Oriental Province; in North Kivu, 1,374 children, including 52 girls, were separated primarily from mixed brigades loyal to Laurent Nkunda and FARDC and Mai-Mai militia forces; and in South Kivu, 336 children, including 13 girls, were separated primarily from Mai-Mai militia forces and troops associated with Laurent Nkunda.

Developments in Haiti

46. It should be noted that, pursuant to Security Council resolution 1780 (2007), the Council recognizes the grave violations committed against children affected by the armed violence in Haiti and requests their continued protection, as set out in

resolution 1612 (2005). Following military operations by the Haitian National Police (HNP) and the United Nations Stabilization Mission in Haiti (MINUSTAH) since December 2006, as well as the arrest of several gang leaders and the dismantling of armed entities, security conditions have improved, especially in areas affected by armed violence, such as Cité Soleil and Martissant in Port-au-Prince. These armed entities vary in organizational structure, activities, motivation and degree of political affiliation. According to MINUSTAH, although these groups are currently essentially criminal in nature, their character and motivations may shift between criminal and political depending on the specific time and circumstances and may pose a threat to peace and security.

47. The situation of children in areas under the influence of armed entities is critical. However, it has been challenging to ascribe definite responsibility for violations to specific parties owing to a large number of actors involved, fragmentation of groups and the difficulty of distinguishing the identity of one group from another. However, the United Nations at the country level has reliable information that the parties named below have been involved in the recruitment and use of children.

48. During the reporting period, there were confirmed reports that children have been used as messengers, spotters, attackers and porters to transfer and hide weapons, as well as for kidnappings. Moreover, children have been directly targeted as a group. In February 2007, Base de Bois-Neuf, controlled by Belony Pierre in Cité Soleil, used two boys, aged between 8 and 10 years, to ignite gas tanks near the "Blue House" occupied by MINUSTAH troops. Also in Cité Soleil, United Nations sources observed that Base de Boston, controlled by Evens Jeune, used children in various capacities as outlined above. On 11 July 2007, a 17-year-old boy, suspected of being a group member, was arrested by HNP in Grand Ravine, Martissant, an area under the control of Base Galil, headed by Wilkens Pierre, and Armée Ti-Machèt. In Gonaïves, a 16-year-old boy associated with the group Raboteau, controlled by Winter Étienne and Ferdinand Wilfort, was arrested by HNP and his weapon confiscated.

49. In the reporting period, 12 children, including a girl, were killed and 8 children, including 4 boys and 4 girls, were injured in Cité Soleil and Martissant. In Gonaïves, four children were killed and five injured in deliberate attacks by armed entities. In December 2006, three girls, aged 13, 14 and 16, were shot in Raboteau. In the same month in Raboteau, a 13-year-old girl was injured by a gunshot and then burned alive; and on 19 July and 5 August 2007, two boys, including one 10-year-old, were decapitated in Ouanaminthe and Mirebalais areas, respectively. Armed entities in Cité Soleil have also used schools as bases during the armed confrontations with MINUSTAH forces at the end of January and the beginning of February 2007.

50. There were approximately 119 cases of child abductions in the reporting period. Although the majority of these cases occurred in Port-au-Prince in 2006, an increasing number of cases were reported from the regions in 2007. In the autumn of 2006, some students were specifically targeted by kidnappers. The situation deteriorated on 13 and 14 December 2006, when 30 students between the ages of 13 and 15 years, were abducted while travelling on school buses near Cité Soleil.

51. Gang rape and other sexual violence against girls and women are still extensively perpetrated by groups in Cité Soleil, Martissant and Carrefour Feuilles. Owing to the lack of official and aggregated data, the number of cases reported is indicative of a larger phenomenon of sexual violence against girls in Haiti.

According to a United Nations partner, approximately 100 cases of child rape were registered from October 2006 to January 2007. Among these, a 3-year-old girl was raped by armed men from Cité Soleil on 9 November, and two cases of rape allegedly perpetrated by members of Evens's group were registered in January 2007. From January to June 2007, it was reported that 54 children, 10 of whom were victims of gang rapes, were raped by members of armed and criminal entities. On 7 May 2007, a 15-year-old girl was raped by six armed men of Bois Neuf, and on 10 May 2007, a 17-year-old girl was raped by six armed men in Grand Ravine, controlled by Base Galil.

Developments in Iraq

52. The prevailing security situation makes obtaining information on violations against children increasingly difficult. Most of the available information is extracted from a wide range of different sources but can rarely be sufficiently verified. It remains clear, however, that Iraqi children suffer most in the ongoing violence. Statistics from United Nations partners and Iraqi authorities suggest that approximately half of all Iraqi refugees are children, as are as many as 38 to 40 per cent of internally displaced persons.

53. There are some indications of children being recruited as combatants by non-State armed groups, such as insurgency organizations. A recent concern is the reported new tactic by insurgent group militias, Al-Qaida and Al-Qaida-affiliated groups, of using children as decoys in suicide car bombings. On 21 March 2007, reports described an incident in which two children were used to facilitate the passing of a car with explosive materials through a Multinational Forces in Iraq (MNF-I) checkpoint in the al-Shaab neighbourhood of Adhamiya district in north-eastern Baghdad. The car was then blown up with the children inside, killing five people, including the two children, and injuring seven others. A MNF-I spokesperson confirmed the incident. MNF-I has publicly reported that insurgents in Anbar Province have been using children to plant roadside bombs and act as spotters for detonation teams. On 21 March 2007, a 14-year-old boy on a bicycle reportedly detonated his suicide vest on an Iraqi police patrol in central Haditha, killing three policemen. Owing to ongoing security operations under the "Baghdad Security Plan" as well as the increasing use of children by insurgents, the number of children, aged between 12 and 17 years, in MNF-I detention has significantly increased, from less than 300 in December 2006 to almost 800 in August 2007, with some 30 children alleged to be active insurgents. These children are provided with education programmes and vocational training.

54. Sectarian violence, fuelled by insurgent and militia action and various criminal gangs throughout the reporting period, has claimed large numbers of civilian lives, including children. There are as of yet no reliable figures on the number of child casualties, although reports of killing and maiming of children are received almost daily. Victims of indiscriminate mortar shelling of residential areas or of bomb attacks, the latter often in the form of devastating suicide car bombs, include many children. As a result of insurgent mortar attacks, five children died in their school in Adil, western Baghdad, on 28 January 2007; three children in Khan Bani Saad on 23 May 2007; and two children in Samarra on 7 August 2007. On 22 May 2007, insurgent gunmen in Iraqi army uniforms killed a family of six, including four children, at a fake checkpoint. On 6 August 2007, a truck bomb in Al-Qebbek, north of Tal Afar, killed 28 persons, including 12 children.

55. Reports of civilians being killed or injured during MNF-I military operations such as house searches or air strikes are becoming more frequent. On 22 February 2007, at least 12 civilians, including 2 to 4 children, were allegedly killed in a gun battle between insurgents and MNF-I forces followed by MNF-I air strikes in Ramadi. Three children in Fallujah were killed on 2 June 2007, when MNF-I allegedly opened fire on a group of individuals believed to be planting a bomb. Many more civilian casualties of military operations were reported, but the age of the victims was rarely confirmed.

56. The education system in Iraq has been adversely affected since the sectarian violence began following the attack on the al-Askari shrine in Samarra on 22 February 2006. Since that attack last year, more frequent attacks on schools, children and teachers have been recorded. UNICEF estimates that at least 30 per cent of Iraqi children are not currently attending school. A particularly disconcerting incident was the deliberate targeting by armed insurgents of the al-Khulud Secondary Girls School in western Baghdad on 28 January 2007, resulting in the deaths of 5 students and 21 injured. In another targeted attack against a school, on 18 June 2007, insurgent gunmen entered a secondary school in Saydiyah, where boys were taking their exams. Approximately 30 students, aged between 17 and 19 years, were abducted. Furthermore, in developments that mirror incidents in Afghanistan, extremists, mainly in Diyala Province, have repeatedly burned or destroyed school buildings: on 15 May 2007 in Abu Ghraib, Baghdad; and on 6 June, 20 June and 21 June 2007, in or near Baqubah, possibly meant as an attack against secular education or schooling for girls.

57. Schools have also become "collateral damage" during fighting between insurgents and MNF-I forces. On 8 May 2007, an attack by an MNF-I helicopter against suspected insurgents in the village of Al-Nedawat, Dujala Province, reportedly killed and injured six children. Local police reported that the helicopter was shot at from the ground and when it fired back, hit the school.

58. The Government has, through the Commission of Child Care, begun to address the challenges confronting children in Iraq. The Commission has designated a committee, which has recommended that the Government sign the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. The Government has repeatedly called upon the international community and all relevant United Nations system agencies to offer their support and assistance in reinforcing their efforts in securing and protecting the welfare of children in Iraq.

Developments in Lebanon

59. There are no reports of recruitment of children by the regular armed forces. Both Prime Minister Fouad Siniora, on behalf of the Government of Lebanon, and Parliamentary Deputy Mohamed Raad, on behalf of Hizbullah, informed my Special Representative during her mission to Beirut on 12 April 2007 that Lebanon would ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, and not use children for armed violence or political mobilization.

60. Civilians, including several thousand children and family members, were caught in the fighting in the Palestinian refugee camp of Nahr el-Bared, northern Lebanon, which lasted from 20 May to 2 September 2007. It is estimated that the fighting between the Lebanese Army and the armed extremist group of Fatah al-Islam resulted in 40 Palestinian civilians killed and over 200 injured, including

children. There are reports of use of Palestinian children by Palestinian armed factions and groups in the Palestinian refugee camps.

61. The extensive and unprecedented use by Israel of cluster bombs during the 2006 conflict left southern Lebanon severely contaminated with approximately 1 million unexploded submunitions and general unexploded ordnance. This continues to pose one of the most serious threats to children in southern Lebanon. From the cessation of hostilities on 14 August 2006 until 31 August 2007, 4 children have been killed and 66 injured as a result of unexploded munitions. On 24 and 25 December 2006, five children, aged 13 to 15 years, from Hanaway and Kaakaeyet al-Jiser, were injured by unexploded cluster bombs while playing. Israel has yet to provide the much-needed strike data on the quantity, types and location of the cluster bombs that were dropped.

Developments in Myanmar

62. The Government, through its Committee for the Prevention of Military Recruitment of Underage Children, has undertaken some efforts to address the issue of the recruitment and use of children, including the recent inclusion of preventing the recruitment of child soldiers in their national plan of action against trafficking. Furthermore, written law states that participation in the Government armed forces (Tatmadaw Kyi) is entirely voluntary and that the minimum age for recruitment is 18 years. However, reliable reports from United Nations partners indicate that forcible attempts to recruit children for Tatmadaw Kyi are still taking place. It is difficult to systematically verify the extent of recruitment or the number of children in military camps owing to access limitations. Lack of proper birth certification and local-level connivance in falsifying existing registration information also perpetuate the difficulty of verifying child recruitment.

63. Since 2005, the United Nations country team has received periodic updates from the Government on the activities of the Committee, including information on children being discharged from army service and, most recently, on disciplinary measures taken by the Government against recruiters who have violated Government recruitment policies with regard to minors. The United Nations country team, however, cannot verify the written information provided by the Government concerning disciplinary action taken against perpetrators, even though it has sought working-level interface on numerous occasions.

64. During the recent mission of my Special Representative, who met with acting Prime Minister and Secretary One of the State Peace and Development Council, the Government agreed to cooperate in the establishment of a monitoring and reporting mechanism on child rights violations within the framework of Security Council resolution 1612 (2005) by appointing the Director-General of the Ministry of Social Welfare, Relief and Resettlement as the Government focal point on issues relating to the implementation of resolution 1612 (2005). The Government also agreed to provide the details of actions taken against army recruiters who recruited children and the list of children discharged for follow-up verification by the United Nations country team. At the time of writing, the United Nations country team had just received from the Government a list of children discharged.

65. The Government also agreed in principle to engage in an action plan with the United Nations country team and UNICEF that meets international standards. This would include the establishment of a subcommittee for the reintegration of former child soldiers; a transparent complaints procedure for incidents of recruitment of children, including instituting disciplinary measures against parties responsible for

aiding and abetting recruitment of children; access to recruitment centres by the United Nations country team and UNICEF on a regular basis to verify whether or not children are present; regular child protection training for Tatmadaw Kyi officials; and a public campaign, including at the village level, to create awareness of the rules, regulations and modalities of a complaints procedure to prevent recruitment. It is noted that in parallel with the above, a supplementary understanding was agreed between the Government and the International Labour Organization (ILO) in February 2007 providing a complaints mechanism in respect of allegations of forced labour, under ILO Convention 29, which encompasses forced recruitment and underage recruitment.

66. The United Nations has not received any reports of new recruitment and use of children by the Karen National Liberation Army (KNLA) and Karenni Army (KA), the armed wings of Karen National Union (KNU) and Karenni National Progressive Party (KNPP) respectively, during the reporting period. However, the Government's limitations on United Nations access to areas of operations and on dialogue with KNLA and KA hamper efforts to verify whether those groups have ceased the recruitment and use of children. As a follow-up to letters received by my Special Representative in the last reporting period from KNU and KNPP, dialogues with both parties were initiated by the United Nations, which resulted in KNU and KNPP signing deeds of commitment to halt and prevent the recruitment and use of children on 6 April and 13 April 2007, respectively. Under the deeds, the parties also commit to allow the independent monitoring of violations, demobilize and release children in their ranks and facilitate the provision of appropriate physical and psychological recovery and social reintegration assistance by United Nations system agencies and NGOs for the released children. However, owing to the concerns of the Government, further discussions to finalize arrangements on the implementation of these action plans are ongoing.

67. There are reports indicating that a breakaway faction of KNU, the KNU-KNLA Peace Council, has recruited children from the Mae La refugee camp, as well as from villages in the border areas. Sources suggest that several boys were deceived into crossing the border by promises of pay and participation in celebrations but were subsequently coerced into joining the armed group. While most of the children have returned, four boys are reportedly still missing. It is not known whether the KNU-KNLA Peace Council continues recruitment, and the United Nations has not been able to verify the reports of recruitment. Furthermore, there are reports of a "one child per family" recruitment policy by the Kachin Independence Army (KIA). In early 2007, the United Nations verified a report of a 15-year-old girl recruited by KIA when she returned to her home village from school in Myitkyina, Kachin State. To date, the girl remains with KIA.

68. There are also eyewitness accounts of children present within the ranks of the United Wa State Army (UWSA) in northern Shan State, despite their recent statement to my Special Representative that children are no longer recruited since the ceasefire agreement with the Myanmar Government. UWSA, however, agreed to further discussions to engage in an action plan to separate and reintegrate children associated with their forces.

69. There are reports of the Shan State Army-South recruiting children as part of a new mandatory recruitment policy. Children are also recruited and used by the Myanmar National Democratic Alliance Army (Kokang) in northern Shan State. There is also information that children are present in the ranks of the Karenni National People's Liberation Front (KNPLF) and Democratic Karen Buddhist Army

(DKBA). However, in-depth monitoring is hampered by access limitations to areas of operations of these groups.

70. Government restrictions on humanitarian access to communities in conflict-affected areas continue to seriously hamper the delivery of aid to those affected, particularly children. Civilians in these areas, including children, are allegedly subjected to systematic human rights abuses by members of the armed forces. Ongoing Government offensives in these areas against ethnic armed opposition groups, such as KNLA and KA, have resulted in many deaths, the destruction and looting of villages and schools, the mining of trails and the displacement of thousands of people. The Minister for National Planning and Economic Development, U Soe Tha, had committed to my Special Representative during her recent mission that the Government would facilitate humanitarian access and operations in those affected areas, within the monitoring and reporting framework of Security Council resolution 1612 (2005).

71. United Nations partners have highlighted the issue of former child soldiers imprisoned by the Myanmar authorities for deserting the Tatmadaw Kyi. The United Nations is also aware of cases involving former child soldiers in the refugee camps in the region for whom some services and case management have been provided on an ad hoc basis. However, proper and systematic mechanisms to identify former child soldiers in the refugee camps in the region do not exist and thus it is not possible to conclusively state the number of cases.

Developments in Nepal

72. The Comprehensive Peace Agreement signed between the Seven Party Alliance (SPA) and the Communist Party of Nepal-Maoist (CPN-M) in November 2006, as well as the separate Agreement on Monitoring and Management of Arms and Armies signed in December 2006, prohibit both parties from recruiting or using persons under age 18. They also set out phased plans for the registration of Maoist combatants and the discharge of persons born after 25 May 1988 from the Maoist Army. By January 2007, more than 31,000 Maoist personnel were cantoned and enumerated in 28 sites across the country. In July 2007, the second stage registration of Maoist combatants began and is still under way. The registration should lead to the automatic discharge of all those aged under 18 years at the time of the May 2006 ceasefire. The United Nations Mission in Nepal (UNMIN), with the participation of UNICEF and the United Nations Development Programme (UNDP), has finalized the verification at three cantonment sites in cooperation with CPN-M. Verification at other cantonment sites continues. No official release of children has taken place to date. The Government is making the necessary preparations to release and rehabilitate combatants who are under age 18, as provided for in the Comprehensive Peace Agreement.

73. With the end of active conflict, there has been a significant decrease in reports of grave violations of children's rights. Reports of violations by the Government's security forces have seen a particularly marked decrease, and large recruitment drives by CPN-M have come to an end. The Nepal country-level task force on monitoring and reporting documented over a thousand cases of children recruited by CPN-M and its affiliates between October and December 2006. Many of those children ended up in Maoist Army cantonments, and over 300 were released without follow-up or official documentation after spending a few days at these sites. Since January 2007, four cases of recruitment by the Maoist Army have been documented. Two of the children involved have since left the Maoist Army. There were also no

new cases of arrest under the Terrorist and Disruptive Activities (Control and Punishment) Ordinance (TADO) reported. TADO expired at the end of September 2006 and was not renewed. Most children arrested under TADO during the conflict were released.

74. Militias linked to the CPN-M and the Nepal Army are no longer operational, but many personnel from the CPN-M, the Maoist Army and the militia have joined the Maoist Young Communist League (YCL), which was re-established in December 2006. Some of those joining YCL are under age 18. YCL carries out social programmes, as well as activities that parallel those of the security forces, aimed at enforcing laws or punishing social crimes. The presence of children in YCL and youth wings of other political parties is a cause for concern because of the deep politicization of children and youth during the conflict. The exposure or involvement of these children and youth in the violent demonstrations that are a feature of political action in Nepal is also disconcerting.

75. The period of unrest in the Terai region of southern Nepal has also resulted in the deaths of seven children during the reporting period. Four children were killed by the police force and one by CPN-M during demonstrations. In January 2007, a 15-year-old boy was killed by CPN-M at a roadblock established by the Madhesi People's Rights Forum (MPRF) in Siraha district, eastern region. In a separate case, a 17-year-old girl associated with a CPN-M cultural group was one of 27 people killed in March 2007 during a confrontation between CPN-M and MPRF in Gaur and surrounding villages, Rautahat district. YCL claimed that the girl was a member of their organization. Many more children were injured during public rallies between December 2006 and February 2007.

76. Although the use of schools for military purposes has decreased with the end of the conflict, 40 incidents of inappropriate use of schools were reported between October 2006 and June 2007, with 25 of the 40 occurring in the mid-western region. In 13 incidents, CPN-M used school grounds to train their cadres; in 22 incidents, schools were forced to accommodate political or cultural programmes by the CPN-M party and sister organizations such as YCL and the All Nepal National Independent Students' Union-Revolutionary; and in at least six incidents, affecting over 200 schools, students were forced to participate in gatherings of CPN-M and its sister organizations. Schoolteachers have been abducted and assaulted, mostly in the Siraha and Saptari districts. Two such incidents were committed by CPN-M and YCL, and approximately six incidents were allegedly committed by two factions of Janatantrik Terai Mukti Morcha (JTMM), namely, JTMM-Goit and JTMM-Jwala Singh.

77. There are also serious concerns regarding the Government's commitment to ending impunity and ensuring accountability for serious human rights violations. An increasing number of reports indicate that the Nepal Police refuse to register or investigate serious crimes committed during and after the conflict. The Government believes that the Truth and Reconciliation Commission, as referred to in the Comprehensive Peace Agreement, will address the issues of ending impunity, if and when established.

Developments in the Occupied Palestinian Territory and Israel

78. The situation of Palestinian children in the Occupied Palestinian Territory, including East Jerusalem, remains grave, with continued Israeli military operations, incursions and raids throughout the territory, in addition to an escalation in internal hostilities resulting in intense fighting between rival Palestinian factions. During the

reporting period, a total of 106 Palestinian children were killed in the Occupied Palestinian Territory; 58 per cent of whom were killed by the Israel Defense Forces (IDF). Seventy-four per cent of child deaths caused by IDF occurred in the Gaza Strip, mostly during military operations and artillery shelling. From 1 to 7 November 2006 alone, eight children were killed during the Israeli incursion, code-named "Operation autumn Clouds", into Beit Hanoun in the northern Gaza Strip.

79. A total of 24 per cent of the 106 Palestinian children were killed as a result of factional violence in the Occupied Palestinian Territory. Armed clashes between the Palestinian Executive Security Forces (ESF) and Al-Aqsa Brigades in Khan Younis on 26 January 2007 killed a 5-year-old Palestinian child. On 7 February 2007, an 8-year-old Palestinian boy died of wounds sustained when he was caught in armed clashes between ESF and the Presidential Guards of the Palestinian Authority in Bureij refugee camp.

80. A total of 323 Palestinian children were injured during the same period, 64 per cent of whom were injured by IDF in the West Bank, 10 per cent by IDF in the Gaza Strip, 7 per cent by Israeli settlers in the West Bank, 3 per cent in factional violence and 3 per cent owing to the reckless handling of explosives.

81. Five Israeli children, four living in Sderot and one in Kibbutz Karmiya near Ashkelon, were injured by Qassam rockets fired from the Gaza Strip by Palestinian militants in the reporting period. Furthermore, two schools and one kindergarten in Sderot were damaged by home-made Palestinian rockets in May, July and August 2007.

82. Documenting the recruitment of children by Palestinian armed groups remains a challenge, and the extent of the phenomenon is not well known. Although there is no evidence of systematic attempts to recruit children for training or operations, militiamen from at least one Palestinian armed group have approached boys outside their school in Gaza requesting them to join paramilitary training. On 2 August 2007, the case of a 13-year-old boy recruited by Hamas militants in Gaza was reported. The boy had been asked by Hamas to monitor the streets and gather information on drug dealers and collaborators with Israel. On 30 August 2007, IDF soldiers on an anti-terror patrol in the northern Gaza Strip spotted a 16-year-old boy who was carrying two explosive devices intended to be detonated in a suicide bombing attack against them. In April 2007, during the mission of my Special Representative to the Middle East, Palestinian President Abbas and then Foreign Minister Abu Amr agreed to revive the code of conduct among Palestinian groups not to involve children in political violence, and to engage with UNICEF to devise a plan of action to prevent the use of children in such violence.

83. Reports also suggest that Shabak, Israel's security agency, continues to seek to recruit Palestinian children to be used as collaborators inside prisons or upon their release. Data are extremely difficult to gather owing to the reluctance of child detainees to talk about these issues, especially while still in detention, and the lack of systematic monitoring. However, at least one case involving a 16-year-old boy was reported in 2007. Furthermore, IDF continues to force civilians, often minors, to enter potential zones of conflict before the soldiers in order to clear the area or limit casualties, although the Israeli Supreme Court has ruled that practice to be illegal. Four cases of Palestinian children used by Israeli soldiers have been documented in 2007. In two separate incidents on 25 February 2007, during military operation "Hot Winter" in Nablus, an 11-year-old girl and a 15-year-old boy were forced at gunpoint to walk in front of Israeli soldiers into houses which were

thought to shelter militants. The children were physically coerced into carrying out searches for the soldiers. In another incident, during a military incursion into the Balata refugee camp on 11 April 2007, two boys aged 14 and 15 were assaulted and forced to sit on the bonnet of an Israeli jeep while youths were throwing stones at the jeep. These incidents are currently being investigated by IDF.

84. There were five cases of abduction, involving 10 children, registered by the United Nations during the reporting period. Four cases occurred in the Gaza Strip, one attributed to Palestinian armed groups and three to IDF. Another case was carried out by Israeli settlers in the West Bank. On 17 June in the Tal al-Hawa area of Gaza, three children aged 11 to 16 were abducted by masked militants of the Preventive Security Forces, who accused them of collaboration with Hamas. The children were held at gunpoint and interrogated. They were released after a few hours.

85. Schools and hospitals continue to be attacked or occupied by both IDF and Palestinian armed groups, in some instances resulting in the killing or injury of children. There were at least 10 incidents where IDF soldiers attacked schools (both Palestinian Authority and UNRWA schools). In five of those attacks, Israeli soldiers used tear gas and sound bombs or stun grenades inside the schools. On 18 November 2006 in an UNRWA-run school in Beit Lahia, two students, aged 7 and 12, were shot and injured inside the school by IDF. In a separate incident in the West Bank, on 5 March 2007, IDF soldiers stormed the UNRWA-run Al-Jalazoun Basic Boys' School and Basic Girls' School and opened fire at students, injuring two in the head. In Gaza, Palestinian militants stormed several schools, and in three of those attacks, hand grenades were used. Damage to at least three schools or school property during fighting were reported.

86. At any given point during the reporting period, between 361 and 416 Palestinian children were being held in Israeli prisons and detention centres, including children as young as 12 years. Between 10 and 22 of those children were being held in administrative detention without charge or trial. The majority of prisoners were boys, while approximately 11 girls had been detained or were serving terms of imprisonment during this period. Over 90 per cent of children arrested, interrogated and charged before the military courts were convicted and sentenced to a term of imprisonment. There are reports that some children held in detention undergo physical beatings and psychological torture, including threats of sexual violence. The systematic transfer of Palestinian child prisoners outside the Occupied Palestinian Territory into Israel is in direct violation of the Fourth Geneva Convention.

87. An expert paper commissioned by a United Nations body found that the most serious consequence of the barrier and its associated regime, and its damaging humanitarian ripple effect, is an increasing occurrence of forced internal displacement, violations of associated rights and induced poverty. A total of 390 civilian structures were demolished during the reporting period, 117 in Gaza and 273 in the West Bank, leaving at least 1,842 people displaced, 717 in Gaza and 1,125 in the West Bank. The majority of affected persons are children. The denial of passage or delays at checkpoints has significantly affected the access of civilians, particularly children, to medical care and services, causing serious threat to their physical health. The Office for the Coordination of Humanitarian Affairs reports that from October 2006 to August 2007, there were a total of 442 incidents of ambulances reporting delays or denied access at Israeli checkpoints in the West Bank. In addition to home evictions and house demolitions, other causes of forced

displacement are settlement expansion, restrictions on water and land use and restrictions on movement.

Developments in Somalia

88. Reports indicate that both the Union of the Islamic Courts (UIC) and the Transitional Federal Government (TFG) recruited and used children during intense fighting for control of Mogadishu in November and December 2006. UIC publicly declared its intention to recruit from schools, and appointed Sheikh Fu'aad Mohamed Khalaf to be in charge of training the students. An intensive recruitment campaign of boys and girls under age 18 by UIC and its allied militias took place from schools in Mogadishu in that period. TFG militias as well as some clan militias have been widely reported to be using children to carry arms. In January 2007, a senior United Nations official visited Mogadishu and was an eyewitness to children training at Belidogle airport, where TFG has a military base. Since June 2007, however, the TFG administration in Jowhar has begun to release children from its ranks, and activities are being planned to reintegrate these children into their communities, with support from UNICEF. In August 2007, the Minister for Women's Development and Family Affairs agreed to play a role in an advocacy campaign to release children from TFG armed forces and prevent future child recruitment.

89. During the reporting period, violence between the TFG and Ethiopian forces on the one hand and insurgent groups, including the Al-Shaabab, remnants of the former UIC elements and Hawiye clan militia on the other, has resulted in high civilian casualties in Mogadishu. Precise numbers of casualties among children are difficult to verify owing to insecurity and the lack of access, but estimates from United Nations partners indicate that in Mogadishu alone, there have been over 1,200 deaths and several thousand civilians injured since October 2006, of which approximately 35 per cent are children. In April 2007, the security situation in Mogadishu deteriorated, as anti-Government factions began staging hit-and-run attacks and using improvised explosive devices and suicide bombings against the TFG and Ethiopian forces. Those forces retaliated with indiscriminate exchange of fire and shelling, sometimes using untargeted rocket launchers. Many of these attacks occurred in residential areas of the city, resulting in disproportionate numbers of children killed or injured. On 1 February 2007, mortars launched into a settlement for internally displaced persons in Talex village killed seven people, including three children; on 29 July 2007 three teenage boys were injured by a roadside bomb in Towfiq district; and on 26 August 2007, a roadside explosion killed two children on their way to school in Gupta district.

90. Rape and other sexual violence committed by the parties to the conflict have not occurred systematically. However, between January and June 2007, the heightened violence has rendered women and girls, particularly among the internally displaced, more vulnerable to sexual violence and attacks. There have been several cases of girls raped while fleeing Mogadishu, mostly along the road to Afgoye and Baidoa. In four of those cases, verified reports identified the perpetrators as men dressed in the uniforms of the TFG militia. Another incident in May 2007 involved TFG militias stopping a minibus at a checkpoint and raping eight women and five girls. These violations have gone unpunished to date.

91. In July and August 2007, reports indicated a wave of raids on schools by TFG forces in Mogadishu, allegedly in search of extremist elements. On 26 July, TFG forces stormed into a school near KM 4 Junction and abducted 4 teachers and

20 students. Several hospitals, including the Al-Hayat and Al-Arafat hospitals, were also raided or attacked with mortar rockets in April and May 2007, disrupting medical services and forcing patient evacuations. More recently, on 18 August, mortar shells from fighting between the TFG and Ethiopian forces and insurgents hit the SOS Hospital in Mogadishu. Furthermore, it has been reported that Ethiopian forces occupied the Mohamoud Ahmed Ali secondary school for military purposes between April and July.

92. Incidents of mine and unexploded ordnance accidents resulting in deaths and injuries among children increased in 2007. Between January and June in southern Somalia, there were more than 28 landmine accidents, killing 8 children and wounding 10; and 33 incidents involving bombs or unexploded ordnance, killing 25 children and wounding 46. A particularly serious incident occurred on 6 July 2007 in central Mogadishu, where a piece of unexploded ordnance exploded, killing eight people, including five children.

93. The insecurity and the multiple checkpoints along main roads have affected humanitarian organizations in and around Mogadishu and, more generally, in south-central Somalia, leaving staff unable to access communities in urgent need of assistance or protection. Humanitarian workers, human rights defenders and media have also been targeted in various security incidents and killings throughout the country, and offices and assets have been destroyed. On 15 May 2007, gunmen attacked the office of the World Health Organization, wounding a guard in the process; and on 27 June, two staff members of the International Medical Corps were killed by gunmen in El-Berde town. On 4 August, staff from an international NGO on an assessment mission in Dhobley, Lower Juba, were ambushed by unknown men, resulting in one person killed and two others injured.

Developments in the Sudan

94. The overall situation in Southern Sudan has improved slightly since the last reporting period. The Government of National Unity and the Government of Southern Sudan made the following commitments during the visit of my Special Representative to the Sudan in January 2007: to allow UNICEF and the United Nations Mission in Sudan (UNMIS) access to the military barracks of the Sudan Armed Forces (SAF), Sudan People's Liberation Army (SPLA) and allied armed forces and groups to monitor and verify compliance; to adopt and implement national legislation to criminalize the recruitment of child soldiers in a timely manner; to allocate adequate resources for the reintegration of children associated with the armed forces; to establish jointly with the United Nations a task force on sexual violence and abuse against children; and to ensure the safety and protection of humanitarian personnel.

95. As a follow-up to those commitments, some important measures have been undertaken by the Government of Southern Sudan to address the situation of children, including progressive legislative reform, structures to address sexual exploitation and abuse and other child protection concerns and a serious commitment to the disarmament, demobilization and reintegration of children.

96. UNMIS has engaged in dialogue with SPLA and SAF to end violations against children and release children from their military units, particularly those newly incorporated from other armed groups. On 7 June 2007, 60 SAF and SPLA commanders committed to end child recruitment and developed an Area Joint Military Committee action plan to address abductions, rape and other sexual violence against children in Upper Nile, Jonglei and Unity States. However, SAF

and SPLA have not allowed the United Nations unhindered access to military barracks for verification purposes. Progress has also been limited with regard to the timely release and reintegration of children.

97. During the reporting period, hundreds of children were released from SPLA and several from other armed groups aligned with SAF, through the coordination of the Southern and Northern Sudan Disarmament, Demobilization and Reintegration Commissions. In May 2007, 25 children were released from SPLA in Bentiu, Southern Sudan, and reunited with their families in the North. A separate disarmament, demobilization and reintegration programme for approximately 600 children from SPLA ranks in Southern Sudan is currently being organized. Despite this progress, thousands of children are still held in military barracks, and some demobilized children return to the army owing to an inefficient reintegration mechanism.

98. Children continue to be recruited and used by armed groups aligned with SAF and SPLA forces that fall under their respective commands. In late November 2006, confirmed reports indicate that SAF-aligned forces of Major General Gabriel Tang Ginye recruited approximately 70 children, including street children, during hostilities in Malakal Province. Furthermore, at least another 300 children are confirmed to be present in the Pibor Defence Forces, also previously an SAF-aligned armed group. The Mundari militia, which operates in Terrekeka, Central Equatoria, is also reported to have 40 children in its ranks.

99. During the reporting period, many children were killed during gunfights between SPLA and SAF. There are also persistent reports of SPLA forces attacking or occupying schools in various locations of Southern Sudan. On 24 October 2006, SPLA forces raided a school in Nassir, Upper Nile, for the purposes of recruiting the children. A total of 32 boys and 24 teachers were abducted, although all but 2 boys were released. Further, SAF and SPLA continue to deny child protection personnel access to areas north and south of Abyei Province, Southern Sudan.

100. There were seven confirmed cases of child abduction in Southern Sudan, several of which were attributed to LRA. On 28 March 2007, a village near Maridi, Western Equatoria, was attacked by armed men, suspected to be from LRA. Six girls, aged between 12 and 17 years, were abducted and their whereabouts remain unknown.

101. There are some promising signs in the current phase of the Darfur peace process and agreement on a hybrid African Union-United Nations mission. However, the day-to-day situation for children on the ground remains grave. There are credible reports indicating that SAF, the Justice and Equality Movement (JEM-Peace Wing), the Sudan Liberation Army/Minni Minawi (SLA/MM), SLA/Gasim (SLA/AG), SLA/Abdul Wahid (SLA/AW), SLA/Shafi (SLA/S), the Popular Defence Forces (PDF), Chadian rebel forces, Government of the Sudan allied militias, known as the Janjaweed, and the Central Reserve Police (CRP) continue to recruit and use children. However, in many instances owing to insecurity, access limitations and a multiplicity of armed actors, it has been difficult to identify the perpetrators or verify the allegations. During the reporting period, some children interviewed by the United Nations reported that they had been fighting in East Jebel Mara, Southern Darfur, for at least three years. Those children are allegedly associated with SLA/AS, SLA/AG or SLA/AW. In April 2007, armed children, aged 12 years, were identified with SLA/MM at Khazan Tunjur, South-West El-Fasher, Northern Darfur. In April 2007, United Nations and African Union Mission in the Sudan (AMIS) monitors identified many armed children believed to

be associated with SAF-allied militia in the Kutum area. In May 2007, 13 boys were identified with JEM-Peace Wing. AMIS also confirmed the presence of children as young as 15 years recruited and used by PDF in Mukjar, Western Darfur.

102. In Darfur, there were 46 verified child deaths perpetrated by the Janjaweed and SAF. On 22 November 2006, bombardments from an SAF Antonov plane and two helicopter gunships killed two children in Kishi village, near Bir Maza; and in May 2007, two children aged 4 and 5 were killed as a result of the Government of the Sudan aerial bombardments of villages in Northern Darfur.

103. Rape continues to be widespread in Darfur, and is used as a method of warfare, with an increasing trend to specifically target younger girls. During the reporting period, there have been 23 confirmed reports of rape, with two of the victims being boys. The perpetrators include elements of SAF, CRP, Janjaweed and SLA/MM. Although the prosecution of perpetrators of rape is rare in Darfur, during the reporting period two CRP officers and one SAF soldier were prosecuted for the rape of children as young as 13 years old.

104. In Darfur, frequent hijackings of humanitarian agencies' vehicles impede the delivery of aid and services to the most vulnerable, particularly children. Abductions and the use of physical and psychological violence against aid workers during attacks on humanitarian compounds are also increasing. The Office for the Coordination of Humanitarian Affairs reports that between January and August 2007, five aid workers have been killed, 11 injured and 53 physically assaulted.

105. On 11 June 2007, SLA/MM signed an action plan to end the recruitment and use of children. It agreed to release and hand over all children associated with their forces or any other forces aligned with them; develop and implement an age-determination process; and provide special protection for girls and women. The action plan will benefit 1,800 children associated with SLA/MM. UNICEF and UNMIS have also been in dialogue with representatives of SLA/AW, SLA/AS and SLA (Free Will), who indicated their willingness to collaborate towards the release of children from their ranks. However, as at 30 June 2007, no concrete commitments to release children had been made.

106. Some progress has also been made in Eastern Sudan. As part of the Eastern Sudan Peace Agreement signed on 14 October 2006 between the Eastern Front armed group and the Government of National Unity, 3,700 ex-combatants are being demobilized, 250 of whom are children.

B. Information on compliance and progress in situations not on the agenda of the Security Council or in other situations of concern

Developments in Chad

107. With the talks between the Government and the armed opposition in Tripoli, and the rainy season, fighting in eastern Chad has significantly decreased. The security situation, however, remains extremely volatile and tense owing to the unsuccessful integration of the United Front for Change (FUC) fighters in the national army following the peace agreement signed in December 2006 by the FUC leader, Mahamat Nour, and President Deby, and the build-up of Government forces. The prevailing insecurity in eastern Chad is also exacerbated by sporadic cross-border raids by Janjaweed militias from the Sudan and inter-communal violence. The decrease in clashes has not reduced the phenomenon of forced recruitment of children by both the State and non-State parties to the conflict.

Reports indicate that children have been recruited into the Chadian National Army. Although the actual figures are unknown, approximately 400 child soldiers, 100 of whom are between the ages of 8 and 12, were found stationed at a Government training centre in central Mongo. On 9 May 2007, the Government of Chad and UNICEF signed an agreement for the demobilization of child soldiers throughout the country. As at 30 July, 425 children, all boys, had been released from Mongo and Moussoro military instruction centres and the N'Djamena main military camp, and transferred to five transit care centres in Abeche and N'Djamena. However, thousands of children in various locations in eastern Chad have yet to be released from armed forces and groups.

108. United Nations monitors have reported that the recruitment and use of children by Chadian armed groups is widespread, although difficulties in identifying leaders, the constant shifting of alliances and groupings and the vast number of groups make it difficult to establish the chain of responsibility for recruitment. UNHCR is currently seeking to increase its child protection staff in eastern Chad. It is estimated that hundreds of children are within the ranks of the Union of Forces for Democracy and Development (Union des Forces pour la Démocratie et le Développement (UFDD)). In November 2006, during clashes between the Chadian National Army and UFDD in Abeche, 60 per cent of UFDD members captured were children. Furthermore, although the recruitment and use of girls by armed forces and groups is not widespread, 50 girls were allegedly associated with FUC in the area of Guereda, Dar Tama Department.

109. Thousands of children have also been recruited and used by Sudanese armed groups backed by the Chadian Government, including JEM and the SLA/G-19 breakaway faction from refugee camps located close to the Sudan-eastern Chad border. In January 2007, 39 children from the Breidjing refugee camp were recruited by Sudanese rebels, and their whereabouts remains unknown. Furthermore, there have been reports of Chadian children being forcibly recruited by the Janjaweed, coming from areas across the border in Darfur.

110. Systematic use of child soldiers by Chadian self-defence groups has been reported in Ade, Mogororo and Dogdore of the Dar Sila Department. In January 2007, nine children between the ages of 13 and 17 were recruited in the surrounding perimeters of the Djabal refugee camp in Goz Beida.

111. Many children are killed and maimed by unexploded ordnance and landmines, which are a result of military engagements in 2006 and 2007. In 2007, 107 child victims of landmines and unexploded ordnances were documented, of whom 22 were killed and 85 injured. In May 2007, four children were playing with a piece of unexploded ordnance in Zaigueye when it exploded, killing two of the children and maiming the others.

112. There have been a large number of incidents of sexual and gender-based violence targeted at women and girls by members of armed groups, particularly within the refugee populations. During the first three months of 2007, 139 cases of sexual and gender-based violence were reported in the 12 refugee camps in the eastern region. However, as it remains a taboo subject, comprehensive information on the number of victims and survivors of sexual violence and the proportion of such incidents perpetrated by members of armed forces and groups is difficult to obtain.

Developments in Colombia

113. The Government of Colombia, through the Colombian Family Welfare Institute, has carried out programmatic efforts to prevent the recruitment of children and reintegrate children into their communities. To date, the Government's efforts have benefited 3,326 children previously associated with illegal armed groups.

114. The Fuerzas Armadas Revolucionarias de Colombia Ejército del Pueblo (FARC-EP) continues to recruit and use children. Cases have been reported in the Departments of Cauca, Antioquia, Sucre, Bolivar, Cundinamarca, Guaviare, Meta and Nariño. In Corinto, Cauca Department, members of FARC frequently visit schools to persuade children to join their ranks. Furthermore, despite current talks between the Government and the Ejército de Liberación Nacional (ELN) and demands by the National Council for Peace that ELN cease recruitment and release all children from its ranks immediately, this group also continues to recruit children. In December 2006, two girls aged 14 and 15 were forcibly recruited by ELN in Nariño, municipality of Guachavez-Santa Cruz.

115. Children have been used by Government armed forces for intelligence purposes despite official Government policy to the contrary. On 6 March 2007, the Colombian Ministry of Defence issued directive 30743, prohibiting all members of the armed forces from utilizing children for intelligence activities, especially children recovered from illegal armed groups. However, the Defensoría del Pueblo reported that in Cauca, a child demobilized from FARC was used by the XXIX Brigade as an informant for the armed forces in an operation and was later killed at the age of 19 years while in combat with FARC, in contravention of the Paris Principles and Guidelines on children associated with armed forces or armed groups. In April 2007, two children aged 8 and 11 in Urrau, Chocó Department, were forced by the national army to carry materials for them. In Bebedo, Chocó Department, reports received by the United Nations in June 2007 confirm that the armed forces operating in that area provided children with food in exchange for cleaning and maintaining their weapons. The Defensoría del Pueblo continues to report children being kept for unauthorized periods in police stations, army battalions or judicial police premises.

116. There are increasing concerns about reported violations and abuses committed against children by new organized illegal armed groups. These groups, such as the Aguilas Negras, Manos Negras, Organización Nueva Generación or the Rastrojos are largely involved in criminal activities related especially to drug trafficking. The Government considers these groups as criminal gangs. In June 2007, Aguilas Negras was reported to have coerced children to join their ranks in Cartagena, Bolivar Department. Reports on the recruitment and use by the other three groups mentioned above have also been received in the reporting period from Valle de Cauca, Bolivar in Cartagena city and Antioquia in Medellin city. Furthermore, the two illegal armed groups outside the demobilization process listed in my 2006 report, Autodefensas Campesinas del Casanare and Frente Cacique Pipinta, have been only partially demobilized, and it is believed that children are still present in those groups. The gravity of the reported violations by those groups is very real and calls for serious efforts to enhance the protection of children.

117. Positive efforts have been made by the Government in the demobilization of combatants from the Autodefensas Unidas de Colombia (AUC). According to official figures, 63 children were demobilized from AUC in 2006, compared with 17,581 adults. Those children, however, were not formally handed over as per the requirements of the collective demobilization process, and there are concerns that a

number of children have been missed out in that process. The Colombian Family Welfare Institute reports that an additional 32 children were demobilized on an individual basis during the same period.

118. The national Instituto de Medicina Legal y Ciencias Forenses certified that in the reporting period 37 children, including 13 girls and 24 boys, were killed and 34 children, including 4 girls, were injured allegedly by Government security forces, of which, according to the Office of the United Nations High Commissioner for Human Rights (OHCHR), nine cases have been filed by the Judicial Police. Extrajudicial executions by some Government security forces have also been reported. In March 2007, two people, including one 16-year-old boy, were killed by forces from the XVI Brigade of the National Army. According to eyewitness accounts, those killed were subsequently presented as guerrilla members. Children have also been abducted, killed and injured by illegal armed groups. From October 2006 to May 2007, approximately 43 children were reported to have been held as hostages. In October 2006, a 17-year-old girl was abducted in Toribio, Cauca, and later killed, allegedly by FARC, and on 9 April 2007, in Buenaventura, Valle del Cauca, a girl was abducted and killed by members of FARC. On 9 January 2007, a child was abducted and killed by members of Aguilas Negras.

119. There are reports that rape and other sexual violence and exploitation continue to be perpetrated by illegal armed groups and some members of the State forces. OHCHR reported that FARC-EP had committed forced abortions and other degrading treatment against young girls in their ranks. A report was also received by OHCHR that two girls, aged 7 and 11 years from Florida, Department of Valle del Cauca, were sexually abused by a soldier from the San Mateo Battalion on 19 November 2006.

120. There have been some reports of schools being occupied by illegal armed groups. Landmines and abandoned explosive ordnance are often left behind once the illegal armed groups retreat from their occupation of these facilities. A school in Guacamayal, Caldas Department, is still surrounded by landmines. On the other hand, in Puerto Caicedo, Putumayo Department, a school was occupied by members of the National Army. In La Joya, also in Putumayo Department, tanks were placed at the entrance of a school as part of a military checkpoint from July to September 2007.

Developments in the Philippines

121. Armed clashes in the Philippines intensified during the reporting period as the Armed Forces of the Philippines (AFP) stepped up its military campaigns against non-State armed groups, particularly in Mindanao. Government forces have reiterated their declaration of an all-out war and engaged the rebel New People's Army (NPA) in skirmishes. Although the Moro National Liberation Front signed a final peace agreement with the Government in 1996, some of its factions based in the Province of Sulu, southern Philippines, have fought AFP in several large-scale confrontations. AFP and its paramilitary allies have also battled elements of the Moro Islamic Liberation Front (MILF) in the Provinces of Basilan, Shariff Kabunsuan and Maguindanao despite an existing agreement on cessation of hostilities. Military campaigns against the Abu Sayyaf Group (ASG) in Basilan and Sulu also continue. Despite these conflicts, the ability to document child rights violations remains weak.

122. During the reporting period, the Government recorded the recruitment of 11 children, allegedly by NPA: 1 from Leyte, 7 from Samar and 3 from Agusan del Sur.

Three of the children are girls and remain in the custody of the Department of Social Welfare and Development awaiting reintegration. The remaining children have been released to their families. The children were allegedly captured by Government forces in the course of their military operations. However, United Nations partners claim that the children were innocent civilians who happened to be in the areas where the military conducted their patrols or armed encounters took place. The Communist Party of the Philippines (CPP) reiterates its policy not to recruit children under age 18 as armed combatants, although it does not deny using children for non-combatant functions in violation of international legal standards. CPP claims disciplinary action is taken against violators of this policy, although monitoring of such compliance remains limited.

123. There are indications that children may be present in the ranks of MILF and ASG, however, owing to access limitations, no new reports of the recruitment and use of children were obtained in the reporting period.

124. United Nations partners reported that four children were killed, three in Mindanao and one in the Bicol region, and seven children were maimed in the Provinces of Cagayan, Davao del Norte and Sulu. Three of the children were girls between the ages of 9 and 14 years. Those incidents occurred during military operations or armed encounters against insurgents, and the victims and survivors have been branded as "rebels" or collateral damage. The most notable case was that of a 9-year-old girl who was killed when Government soldiers opened fire near her home in the Province of Compostela Valley on 31 March 2007, allegedly in pursuit of NPA guerrillas. The military had initially declared her an NPA child soldier but later recanted its accusation, and the Philippine Commission on Human Rights officially declared that she was "caught in the crossfire". In another incident on 23 January 2007, in Baggao, Cagayan Valley, two girls aged 14 and 15 years were seriously injured by the 17th Infantry Battalion of the Philippine Army when they opened fire without warning in the area.

125. The Philippine country-level task force on monitoring and reporting was convened on 26 March 2007, comprising of United Nations system agencies and local human rights organizations. On 19 July 2007, the Government of the Philippines, through its Permanent Mission to the United Nations, has affirmed its concurrence with the implementation of Security Council resolution 1612 (2005). In addition, the Government is carefully studying the Paris Principles, which could pave the way towards improving programme interventions for children and armed conflict by the Government.

Developments in Sri Lanka

126. From 1 October 2006 to 31 August 2007, UNICEF received confirmed reports of 339 children being recruited or re-recruited by the Liberation Tigers of Tamil Eelam (LTTE), of which 41 per cent were from Batticaloa, compared with 679 children recruited in the preceding 11 months. In the same period, LTTE released 226 children, compared with 171 children released in the preceding 11 months, predominantly from Kilinochchi. Of the children recruited, 78 per cent were boys and 22 per cent girls. The average age of the children recruited during the reporting period was 16 years. Among the 6,221 children registered on the UNICEF database as having been recruited since 2001, 1,469 cases remain outstanding, including 335 children currently under 18 years of age as at 31 August 2007. The reported cases may only be indicative of the actual number of children recruited given access limitations in LTTE-controlled areas. LTTE has designated its so-called Child

Protection Authority as the interlocutor on child recruitment issues and Security Council resolution 1612 (2005), and weekly dialogue between UNICEF and the so-called Child Protection Authority continues. As at 22 August 2007, eight children continued to reside in the Educational Skills Development Centre, in violation of the recommendations of the Working Group of the Security Council. At the time of reporting, UNICEF was in the process of arranging the return of those eight children to their families.

127. UNICEF received confirmed reports that 246 children had been recruited or re-recruited by the Karuna faction during the reporting period, compared with 154 children recruited in the previous 11-month period. Most of the children were recruited from Batticaloa. The Karuna faction released 80 children in the same period, compared with 14 children released in the previous 11-month period. The average age of the children being recruited by the Karuna faction was 16 years. All of the children recruited were boys, with the exception of one girl. From the 385 children registered on the UNICEF database as having been recruited, 214 cases remained outstanding as at 31 August 2007, including 160 children currently under 18 years old.

128. The majority of reported child abduction cases occurred in Jaffna, Batticaloa and Vavuniya. Abductions are carried out mainly in the context of recruitment, and are attributed to LTTE and Karuna faction. In some instances, children who were abducted were later found to have been killed. On 14 November 2006, four boys were abducted in Batticaloa. That case is part of several group abductions of children in the area which remain unresolved. On 18 December 2006, 22 students were abducted by LTTE for recruitment purposes while attending a tutoring class in Ampara. All of the children were released within two days as a result of UNICEF advocacy with LTTE. On 22 December 2006 and 18 March 2007, two boys were reportedly detained by the Government of Sri Lanka security forces in Jaffna and have subsequently been reported missing.

129. Since 1 October 2006, according to verified reports, 46 children were killed and 79 maimed owing to the conflict. This includes the deaths of 11 recruited children, 9 of whom were recruited by LTTE and 2 by the Karuna faction. More than half of the killings and maimings occurred in Batticaloa district. On 2 January 2007, a Sri Lankan Air Force aerial bombardment killed seven children and injured eight in Padahuthurai, an internally displaced persons village near Mannar. All but one of the children was under the age of 10 years. On 2 April 2007, three children were killed and four maimed in a bus explosion at a military checkpoint in Ampara attributed to LTTE.

130. Aerial strikes and shelling by the Sri Lankan Army (SLA) and attacks by LTTE have resulted in the destruction of schools and the death and injury of students and teachers. On 8 November 2006, an SLA artillery bombardment hit an internally displaced persons camp located in a school in Vaharai, Batticaloa. At least 26 civilians died, including at least 2 children, and at least 69 civilians were injured, including 21 children under the age of 15 years. On 7 December 2006, LTTE shelling hit a school in Trincomalee which resulted in the death of a teacher and injury of 15 people, including 5 children.

131. Hospitals have also been damaged during SLA operations in the reporting period. On 18 October 2006, the Gramodaya Health Centre in Vaharai was damaged by SLA shelling, and the Centre was used by SLA from January to the end of July 2007. The Special Task Forces of the Government of Sri Lanka have also been utilizing a maternity ward and on-call duty room at a hospital in Batticaloa since

July 2007. On 14 July 2007, SLA shelling damaged the maternity section and outpatient department of a hospital in north Vavuniya.

132. LTTE submitted a draft action plan on 28 March 2007 and a revised version on 19 July 2007, following dialogue with the country-level task force on monitoring and reporting. However, those drafts committed LTTE to a minimum age of recruitment of 17 years until 1 January 2008, at which point the minimum age of recruitment would be raised to 18 years. The delay in raising the minimum age of recruitment to 18 years is contradictory to their previous commitments and international standards. At the time of reporting, LTTE had indicated that the minimum age of recruitment would be raised to 18 years. However, this has not translated into a commitment to release those between 17 and 18 years old at the present time. On the other hand, despite continued advocacy, there has been less progress with the Tamil Makkal Viduthalai Pulighal, the political wing of the Karuna faction. Following the commitment made to the Working Group of the Security Council, a committee comprising senior officials of the Government of Sri Lanka was established to carry out an independent and credible investigation into the allegations that certain elements of the Government security forces are supporting and sometimes participating in the abduction and forced recruitment of children by the Karuna faction. While the appointment of the committee is welcomed, there is an urgent need for the Government of Sri Lanka to investigate the allegations and take active measures to prevent grave violations against children, including the abduction and recruitment of children by the Karuna faction, especially in Government-controlled areas. Action is also still required by the Government of Sri Lanka to address the situation of children who sought special protection and surrendered to Government forces and who are currently in Pallekele and Jaffna Prisons, including the need for appropriate rehabilitative measures.

Developments in Uganda

133. Although the Government of Uganda has no deliberate or systematic policy to recruit children, the lack of effective monitoring at the local level leads to children continuing to join some elements of the armed forces. During the reporting period there were 16 cases of recruitment and use of children aged 14 to 17 years by the Uganda People's Defence Forces (UPDF). Three cases were reported in Pader district in which children who had escaped from LRA were used for gathering intelligence before being released in February 2007. In that regard, UPDF did not make use of the agreed civilian reintegration structures in place. Three other cases were reported in the Teso subregion in May 2007, but with the full cooperation of UPDF, the children were later released to OHCHR. The other 10 cases concern the use of children within auxiliary forces of the UPDF, in particular the local defence units. Young boys continue to serve in the local defence units in Anaka and Alero sub-counties, Amuru district, Acholiland. To date, there are still no signs of the release of 1,128 children reported to have been mobilized into the local defence units in late 2004 in Kitgum, Pader and parts of Teso region. The Government has claimed that the local defence units have been disbanded and some of its members integrated into UPDF and Uganda Police Force. During this process, the opportunity to utilize the agreed civilian reintegration structure in place was also missed. The country-level task force on monitoring and reporting noted that comprehensive planning for the demobilization and disarmament of children associated with the local defence units was an essential element for sustainable peace in northern Uganda. In early August 2007, the task force team met with the Minister for Foreign Affairs to finalize an action plan to prevent the recruitment and use of child soldiers

within the framework of Security Council resolution 1612 (2005). A workshop was held in Kampala on 24 August 2007 with key stakeholders from the Government and the task force team, culminating in a draft action plan to be adopted by the Government shortly.

134. Since December 2006, 48 cases of rape and other sexual violence against girls perpetrated by UPDF or local defence unit elements were reported, of which 37 cases were recorded from March to August 2007 in Kitgum, Gulu, Lira and Amuru districts. Thirty-four of the latter offences were committed by UPDF forces, and three were perpetrated by members of the local defence units. Most of those cases occurred in internally displaced camp settings and return areas. In February 2007, four girls were abducted by a UPDF soldier in Gulu district, resulting in the rape of two of the girls, aged 12 and 14. In the same month, another 14-year-old girl was raped and strangled to death by a local defence unit soldier in Amuru district. Although these cases have been reported to the police, no arrests have been made either owing to difficulties in identifying the perpetrator or because the suspects have disappeared.

135. Two primary schools in Aswa county, Gulu district of Acholiland, were occupied by military forces and used for military training purposes. Through OHCHR intervention, the army vacated the schools on 23 August 2007. In Lira district, the Baralegi primary school in Okwang sub-county is still occupied by military forces. Owing to severe damage to the school structure, the Government plans to build new schools.

136. Owing to the absence of LRA in Ugandan territory during the reporting period, no cases attributable to it have been recorded by the country-level task force on monitoring and reporting. LRA has not released any children from the Ri-Kwangba assembly point in Southern Sudan. However, since the signing of the Cessation of Hostilities Agreement in August 2006, approximately 70 children, 15 per cent of whom are girls, have returned from Southern Sudan to reception centres in Gulu, Kitgum, Pader and Lira. The majority of the children had either escaped or were captured by UPDF or SPLA forces, while six children were transferred from the Toto Chan reception centre in Juba, Southern Sudan. Those children have been successfully reintegrated into their communities through UNICEF-supported child protection programmes. A mechanism is currently in place to receive the remaining children still held by LRA. The country-level task force continues to advocate for the release of all children and women remaining in LRA captivity.

C. Sexual exploitation and abuse of children by United Nations peacekeeping and other United Nations personnel

137. During the reporting period, the United Nations continued to seek ways in which to strengthen the institutional framework to prevent and address sexual exploitation and abuse by peacekeepers and other United Nations personnel, with some initiatives directed specifically at preventing the abuse of children.

138. The ability of the United Nations to cover field locations grew considerably, and as at 31 July 2007, the Department of Field Support has established Conduct and Discipline Units to cover 18 peace operations.[3] Those units are responsible for receiving, monitoring and tracking complaints of sexual exploitation and abuse

[3] A list of peace operations is available at http://www.un.org/Depts/dpko/CDT/about.html.

against peacekeepers, developing and implementing prevention initiatives and enforcing standards of conduct.

139. In 2006, the Office of Internal Oversight Services (OIOS) reported the receipt of 371 allegations of sexual exploitation and abuse. Some 357 of these were from United Nations peace operations, which represents a 5 per cent increase in reported allegations from the previous year. During the first half of 2007, OIOS reported the receipt of 72 allegations of sexual exploitation and abuse from United Nations peace operations. This downward trend in reported allegations is attributable to the impact of prevention and enforcement initiatives which the United Nations put in place over the course of 2005 and 2006. Of the allegations reported for peacekeeping operations during 2006, 82 investigations have been completed as of June 2007. Of those, five involved acts of sexual exploitation and abuse against minors. The completed investigations resulted in the dismissal or non-renewal of contracts of 1 civilian staff member and the repatriation of 1 police and 13 military personnel.

140. In June 2007, allegations of sexual exploitation and abuse by a contingent of United Nations peacekeepers were reported in the United Nations peace operations in Côte d'Ivoire. Those allegations involved acts of abuse of young women and girls. OIOS was immediately informed and the investigation process was initiated. Owing to the seriousness of the allegations, the contingent concerned was cantoned. The Departments of Peacekeeping Operations and Field Support, together with the concerned Member State, remain actively seized of the matter.

141. Recognizing the importance of a strategy for victim assistance as a part of the comprehensive response to sexual exploitation and abuse, the General Assembly, in its resolution 61/291, established an ad hoc open-ended Working Group to consider a draft policy statement and comprehensive strategy on assistance and support to victims of sexual exploitation and abuse by United Nations staff and related personnel (see A/60/877, annex). That Working Group commenced its deliberations during the sixty-second session of the General Assembly. It is anticipated that, when endorsed by the Assembly, the strategy will provide an institutional framework that will give much-needed support to children who are victims of abuse or are born as a result of cases of abuse by United Nations staff and related personnel. In the interim, victims of abuse may receive emergency medical and psychosocial support facilitated by United Nations operations on the ground in conjunction with local service providers. In some peace operations, such as in Liberia, the United Nations peace operation has established a Rape and Sexual Assault Rapid Response Team to ensure that swift action is taken to aid women and children who are victims of abuse. That team, which embraces local partners, has helped some minors to receive safe housing and medical attention. This initiative was intended to minimize the risk of losing or damaging critical evidence and to reduce the exposure of survivors of abuse to further trauma. The challenge now is to create sustainable initiatives for victims' support. Implementing this strategy is of critical importance.

142. A high-level conference on sexual exploitation and abuse, held on 4 December 2006, jointly hosted by the Department of Peacekeeping Operations, the Office for the Coordination of Humanitarian Affairs, UNDP and UNICEF, resulted in the issuance of a Statement of Commitment on Eliminating Sexual Exploitation and Abuse by United Nations and Non-United Nations Personnel, which contained 10 principles to facilitate rapid implementation of standards relating to the prevention and elimination of sexual exploitation and abuse. As at 31 July 2007, 40 United Nations and 31 non-United Nations entities had endorsed the Statement and committed to combating sexual exploitation and abuse.

143. Significant progress was made during the reporting period with the establishment of an effective legislative framework which members of national contingents are required to comply with. It is encouraging to note that in July 2007, the General Assembly unanimously endorsed recommendations to incorporate revisions on standards of conduct into the draft model memorandum of understanding between troop-contributing countries and the United Nations (see A/61/19 (Part III)). In addition to strengthening the accountability of uniformed contingent personnel, the revisions to the memorandum of understanding also emphasize the need to immediately collect forensic evidence in sexual exploitation and abuse cases in a manner which will be sufficient to prosecute perpetrators in their home country.

IV. Information on progress made in the implementation of the monitoring and reporting mechanism and mainstreaming of child protection in United Nations peacekeeping operations

144. As called for in paragraph 3 of Security Council resolution 1612 (2005), a monitoring and reporting mechanism on grave child rights violations has been established in situations of armed conflict, listed in annex I of the Secretary-General's 2006 report, that are on the agenda of the Security Council, namely Burundi, Côte d'Ivoire, the Democratic Republic of the Congo, Somalia and the Sudan; and in other situations of armed conflict, listed in annex II of the Secretary-General's 2006 report, that have voluntarily implemented the monitoring and reporting mechanism, namely, Chad, Nepal, Sri Lanka and Uganda. The Government of Myanmar has also agreed to cooperate in establishing a monitoring and reporting mechanism within the framework of resolution 1612 (2005).

145. Since its inception, monitoring and reporting has moved from a concept to a concrete United Nations system response. The establishment of the monitoring and reporting mechanism has allowed for systematic, reliable, timely and objective information to be gathered on the six grave violations against children in armed conflict, including the identification of offending parties, which feeds into my country-specific reports examined by the Working Group of the Security Council on Children and Armed Conflict. The designation of these offending parties on the annexed lists of my annual reports has proven to have a deterrent effect and has allowed the relevant "destinations for action", such as the Working Group, to maintain political pressure and take action on parties to conflict who are found to be persistent violators of child rights. Reports generated through the monitoring and reporting mechanism process have also contributed significantly to increased international awareness on the issue of Children and Armed Conflict, particularly though their inclusion in Security Council resolutions and debates that have been generated in other United Nations forums.

146. There have been positive developments as a result of the recommendations and actions taken by the Working Group, including drawing the attention of the Security Council as well as its sanctions committees, where applicable, to the need to follow up on the recommendations addressed to them. In the Democratic Republic of the Congo, after an initial delay, the Government brought to trial former Mai-Mai Commander Kyungu Mutanga, alias "Gedeon", for war crimes and crimes against humanity, including the recruitment of 300 children in Katanga Province from 2003 to 2006. This action follows strong recommendations by the Working Group to take appropriate legal measures against members of armed groups accused of grave

crimes against children. In Côte d'Ivoire, the Working Group requested that Forces de Défense et de Sécurité des Forces nouvelles continue its dissemination of the command order to end the detention of children. Since then, that command order has been successfully implemented, and regular monitoring of prisons and detention facilities in areas under the control of FDS-FN is carried out by the United Nations to ensure that no children are incarcerated.

147. Direct contact and dialogue by the Working Group with all the Government representatives of countries whose situation had been considered by the Working Group has also played a role in encouraging their active participation in its meetings, and in obtaining their positive commitments to protect children affected by armed conflict. The Government of Sri Lanka reaffirmed its zero-tolerance policy for the recruitment and use of children and reiterated its commitment to the Working Group by establishing a committee comprising high-level Government officials to conduct an independent and credible investigation into allegations that some security forces are abetting the Karuna faction in the recruitment and use of children. The Government of Uganda also reiterated its commitment to finalize its action plan pursuant to Security Council resolution 1612 (2005) in order that the Uganda People's Defence Forces and local defence units be removed from the annexes of my annual reports.

148. Similarly, cooperative and constructive engagement by the Working Group with parties in situations of conflict not on the agenda of the Council, such as the Philippines, Sri Lanka and Uganda, has resulted in their acceptance of the implementation of the monitoring and reporting mechanism pursuant to resolution 1612 (2005).

149. However, in certain situations, increased pressure is required against persistent and recalcitrant violators of child rights, such as dissident General Laurent Nkunda in the Democratic Republic of the Congo, the Janjaweed in the Sudan, and the Liberation Tigers of Tamil Eelam in Sri Lanka, by further considering the need to impose targeted measures against those parties.

150. In my 2006 report to the Security Council, I recommended that the monitoring and reporting mechanism be expanded to give equal care and attention to children affected by armed conflict in all situations of concern, thereby encouraging the establishment of the mechanism in all situations on the annexed lists. In April 2007, the Working Group placed the situation of children affected by armed conflict in Myanmar on its agenda. Despite the agreement achieved with the Government of Myanmar on monitoring and reporting mechanism implementation, the issue of access in a timely manner to conflict-affected areas, as well as other Government restrictions, are factors that need to be overcome to enable the effective and independent functioning of the mechanism. In situations not on the agenda of the Council, such as Chad, Colombia and the Philippines, overriding factors such as insecurity, restriction or denial of access to certain areas of the country and insufficient resources pose a significant challenge to the establishment of a rigorous monitoring and reporting mechanism. For example, precarious and unpredictable security situations in eastern Chad or in certain areas of operation of illegal armed groups in the Philippines and Colombia make it difficult to obtain accurate and up-to-date information on child rights violations.

151. My Special Representative has undertaken several country missions to carry out high-level advocacy on issues of children and armed conflict and to assist the authorities, United Nations and civil society partners in improving the situation of children in armed conflict. Several of these country missions have been mandated

by the Working Group. Cooperation from Governments in extending their invitation to my Special Representative has been instrumental in achieving those objectives. In the reporting period, missions to Sri Lanka (November 2006); the Sudan (January 2007); the Democratic Republic of the Congo (March 2007); Lebanon, Occupied Palestinian Territory and Israel (April 2007); and Myanmar (June 2007) were carried out by my Special Representative or, in the case of Sri Lanka, by the Special Adviser to the Special Representative. Specific outcomes of those missions have been described under the relevant country situations in section III of the present report.

152. My 2006 report highlighted the findings from the study of child protection experience in peace operations[4] commissioned by the Peacekeeping Best Practices Section, as called for in paragraph 20(d) of Security Council resolution 1612 (2005). The study recognized the crucial need of child protection advisers, and the significant impact they achieve through their monitoring and reporting capacity in increasing the attention to the rights of war-affected children on the United Nations peace and security agenda. The study, however, also brought attention to the need for a clear inter-agency decision-making process to ensure that all child protection actors are playing a role in such a way that takes advantage of their comparative strengths.

153. Five main lessons emerged from the study, namely: (a) the concept of child protection advisers and their current terms of reference should be jointly reviewed and clarified by the Department of Peacekeeping Operations, the Office of the Special Representative of the Secretary-General for Children and Armed Conflict and UNICEF; (b) there is a need for a specialized capacity at the Department of Peacekeeping Operations headquarters to provide guidance, training and daily operational support to the child protection advisers in the field; (c) best practices need to be captured from child protection advisers and fed into policy and guidance development by the Department, in consultation with the Office of the Special Representative, UNICEF and other partners; (d) the location of child protection units or advisers within the mission structure needs to be reviewed and possibly standardized; and (e) the profile and selection process for child protection advisers should be reviewed by the Department, in consultation with the Office of the Special Representative and UNICEF. The Peacekeeping Best Practices Section is currently in the process of recruiting a senior-level child protection focal point, who will be responsible for following up on the above-mentioned lessons and recommendations.

154. The child protection advisers should also be placed in Afghanistan, Iraq, Lebanon and the Occupied Palestinian Territory to augment the human rights monitoring expertise in the respective missions. There should also be the placement of child protection advisers within the African Union-United Nations Hybrid Operation in Darfur and United Nations-European Union multidimensional presence in Chad and the Central African Republic. This would strengthen the task of monitoring and reporting, as well as help to provide timely and accurate information for prompt advocacy and response to the issue of children affected by armed conflict in those conflict situations.

155. The Committee on the Rights of the Child has recently adopted new reporting guidelines under the Optional Protocol to the Convention on the Rights of the Child

[4] United Nations, "The Impact of Child Protection Advisers in United Nations Peacekeeping Operations" (May 2007).

on the involvement of children in armed conflict, which encourage States parties to cooperate with my Special Representative and the monitoring and reporting mechanism as per the framework of Security Council resolution 1612 (2005), in the implementation of the Optional Protocol.

V. Information on progress made in the development and implementation of action plans

156. Pursuant to Security Council resolutions 1539 (2004) and 1612 (2005), parties are called upon to develop and implement concrete time-bound action plans, in close collaboration with United Nations peacekeeping missions and/or United Nations country teams. During the reporting period, progress on action plans has been made with armed forces and groups in four country situations on the agenda of the Security Council, namely, the Central African Republic, Côte d'Ivoire, Myanmar and the Sudan; and two parties in country situations not on the Council's agenda, namely Sri Lanka and Uganda. In Chad, although an action plan has not been developed, the Government signed an agreement with UNICEF to demobilize child soldiers from the armed forces.

157. In the reporting period, several factors have contributed to the compliance by parties, including their engagement in action plans to halt and prevent the recruitment and use of children in armed conflict:

(a) There has been sustained engagement and pressure on parties by the Working Group on Children and Armed Conflict, including the possibility of targeted measures;

(b) Trust and confidence-building measures carried out by the country-level task force on monitoring and reporting and United Nations country teams with parties have resulted in significant achievements with respect to the demobilization and release of children associated with armed forces and groups;

(c) The visits of my Special Representative have provided the opportunity for high-level advocacy and opened doors for follow-up dialogues with military and political authorities by the task force and United Nations country teams;

(d) The continued mainstreaming of issues on children and armed conflict in the peacekeeping missions through child protection advisers, and enhanced cooperation with UNICEF and OHCHR are resulting in greater efforts for the protection of children.

158. While progress has been made with certain parties to conflict, progress with others has been slower. In Sri Lanka, the draft action plan submitted by LTTE commits the group to not recruit children under 17 years of age, which is inconsistent with international standards. In Myanmar, although KNU and KNPP had engaged with the United Nations on deeds of commitment following their listing on the annexes of my annual report to the Security Council in 2006, the Government of Myanmar had been reticent to allow for further dialogue owing to various concerns relating to their status as non-State actors. Similar sensitivities apply to the conflict in Colombia. In Uganda, an action plan which meets international standards has yet to be finalized.

VI. Recommendations

159. **It is recommended that the Security Council consider giving equal care and attention to children affected by armed conflict in all situations of concern listed in the annexes to my report.**

160. **It is further recommended that the Security Council give equal weight to all categories of grave violations, including not only the recruitment and use of children, but also the killing and maiming of children, rape and other grave sexual violence, abductions, attacks against schools or hospitals and denial of humanitarian access to children.**

161. **While recognizing the efforts and cooperation by some countries, the implementation of the monitoring and reporting mechanism within the framework of Security Council resolution 1612 (2005) should be supported in all situations of concern.**

162. **The Security Council is encouraged to continue to call upon parties in situations of armed conflict listed in the annexes to my report to prepare concrete time-bound action plans to halt the recruitment and use of children and other violations and abuses committed against children for which they are cited, including the killing and maiming of children, rape and other grave sexual violence, abductions, attacks against schools and hospitals and denial of humanitarian access to children, in violation of international obligations applicable to them, and to expand the call for action plans to all situations of concern.**

163. **I welcome the Security Council's continuing consideration of effective targeted measures against parties to armed conflict who continue to systematically commit grave violations against children in armed conflict in defiance of recommendations by the Working Group on Children and Armed Conflict and of Council resolutions. The Security Council should consider a range of measures, including a ban on the export or supply of arms, a ban on military assistance, the imposition of travel restrictions on leaders, their exclusion from any governance structures and amnesty provisions, and restriction of the flow of financial resources to the parties concerned.**

164. **The Security Council is encouraged to empower its Working Group on Children and Armed Conflict to recommend to the Council the imposition of targeted measures, and to monitor the implementation of such measures, on parties to armed conflict who commit grave violations against children in all situations of concern listed in the annexes to my report.**

165. **It is recommended that all future peacekeeping missions and relevant political missions include within their mandates child protection advisers, as appropriate, to strengthen monitoring and reporting and provide timely and accurate information for prompt advocacy and response for the protection of children affected by armed conflict in those situations.**

166. **Member States concerned should take effective action to bring to justice individuals responsible for the recruitment and use of children and other grave violations against children through national justice systems. The Security Council is encouraged to refer to the International Criminal Court, for investigation and prosecution, violations against children in armed conflict that fall within its jurisdiction.**

167. **Member States concerned should coordinate with my Special Representative on her engagement with non-State parties to ensure the broad and effective protection of children exposed to situations of concern.**

168. **States parties to the Convention on the Rights of the Child are encouraged to take measures to support the recommendations of the Committee on the Rights of the Child; to strengthen national and international measures for the prevention of recruitment of children into armed forces or armed groups and their use in hostilities, in particular by signing and ratifying the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and enacting legislation that explicitly prohibits the recruitment of children into armed forces/groups and their use in hostilities; to submit reports under the Optional Protocol to the Committee on the Rights of the Child; and to exercise extraterritorial jurisdiction in order to strengthen the international protection of children against recruitment.**

169. **Member States are urged to work towards the implementation of a comprehensive strategy on assistance and support to victims of sexual exploitation and abuse by United Nations staff and related personnel, thereby enabling children who are victims of or born as a result of such abuse to receive much-needed support.**

170. **Adequate resources and funding need to be made available by donors to national Governments, the United Nations and partners to support the rehabilitation and reintegration of all children who have been associated with armed forces or armed groups, including relevant and effective programmatic action that reinforces such efforts, while ensuring their long-term sustainability and viability.**

171. **Member States are urged to address immediately the grave humanitarian, human rights and development consequences of cluster munitions. To that end, Member States are encouraged to conclude a binding instrument that prohibits the use, development, production, stockpiling and transfer of cluster munitions that cause unacceptable harm to civilians; requires the destruction of current stockpiles of those munitions; and provides for clearance, risk education and other risk-mitigation activities, victim support, assistance and cooperation, and compliance and transparency measures.**

VII. Annexed lists[5]

172. The present report contains two annexes.[6] Annex I lists parties that recruit or use children in situations of armed conflict on the agenda of the Security Council, bearing in mind other grave violations and abuses committed against children. Annex II lists parties that recruit or use children either in situations of armed conflict not on the agenda of the Security Council or in other situations of concern, also bearing in mind other grave violations and abuses committed against children.

173. It should be noted that the annexes do not list countries as such. The purpose of the annexed lists is to identify particular parties to conflict that are responsible

[5] Pursuant to Security Council resolution 1612 (2005), the present report is guided by criteria for determining the existence of an armed conflict found in international humanitarian law and international jurisprudence. Reference to a situation of concern is not a legal determination, and reference to a non-State party does not affect its legal status.

[6] The parties are listed in alphabetical order in the annexes.

for specific grave violations against children. In this respect, the names of countries are referred to only in order to indicate the locations or situations where offending parties are committing the violations in question.

Annex I

List of parties that recruit or use children in situations of armed conflict on the agenda of the Security Council, bearing in mind other violations and abuses committed against children

Parties in Afghanistan

Taliban Forces

This party has also been responsible for the killing and maiming of children and attacks against schools in the reporting period.

Parties in Burundi

Parti de libération du peuple hutu (Palipehutu)-Forces nationales pour la libération (FNL) — Agathon Rwasa

This party has also been responsible for killing and maiming and committing rape and other grave sexual violence against children in the reporting period.

Parties in the Central African Republic

1. Armée populaire pour la restauration de la Republique et de la démocratie (APRD)

This party has also been responsible for committing rape and other grave sexual violence against children in the reporting period.

2. Forces démocratiques pour la rassemblement (UFDR)

This party has also been responsible for the killing and maiming of children and attacks against schools in the reporting period.

3. Forces démocratiques populaire de Centrafrique (FDPC)

This party has also been responsible for committing rape and other grave sexual violence against children in the reporting period.

Parties in the Democratic Republic of the Congo

1. Forces armées de la République démocratique du Congo (FARDC)

This party has also been responsible for killing and maiming, abductions and committing rape and other grave sexual violence against children in the reporting period.

2. Forces démocratiques de libération du Rwanda (FDLR)

This party has also been responsible for killing and maiming, abductions and committing rape and other grave sexual violence against children in the reporting period.

3. Front des nationalistes et integrationalistes (FNI)

This party has also been responsible for the abduction of children in the reporting period.

4. Front de résistance patriotique en Ituri (FRPI)

This party has also been responsible for the abduction of children in the reporting period.

5. Mai-Mai groups in North and South Kivu, Maniema and Katanga who have not integrated into FARDC

This party has also been responsible for the abduction of children in the reporting period.

6. Mouvement révolutionnaire congolais (MRC)

This party has also been responsible for the abduction of children in the reporting period.

7. Non-integrated FARDC brigades loyal to rebel leader Laurent Nkunda

This party has also been responsible for killing and maiming, abductions and committing rape and other grave sexual violence against children in the reporting period.

Parties in Myanmar

1. Democratic Karen Buddhist Army (DKBA)
2. Karen National Union-Karen National Liberation Army Peace Council
3. Kachin Independence Army (KIA)
4. Karen National Liberation Army (KNLA)
5. Karenni Army (KA)
6. Karenni National People's Liberation Front (KNPLF)
7. Myanmar National Democratic Alliance Army
8. Shan State Army-South (SSA-S)
9. Tatmadaw Kyi

This party has also been responsible for the killing and maiming and denial of humanitarian access to children in the reporting period.

10. United Wa State Army (UWSA)

Parties in Nepal

Communist Party of Nepal-Maoist (CPN-M)

This party has also been responsible for abducting children in the reporting period.

Parties in Somalia

1. Remnants of the former Union of the Islamic Courts (UIC)

This party has also been responsible for the killing and maiming of children in the reporting period.

2. Transitional Federal Government (TFG)

This party has also been responsible for killing and maiming, committing rape and other grave sexual violence, attacks on schools and hospitals and denial of humanitarian access to children in the reporting period.

Parties in Southern Sudan

1. Parties under the control of the Government of the Sudan

(a) South Sudan Defence Forces, including the forces of Major-General Gabriel Tang Ginyi

This party has also been responsible for killing and maiming and committing rape and other grave sexual violence against children in the reporting period.

(b) Sudan. Armed Forces (SAF)

This party has also been responsible for committing rape and other grave sexual violence against children in the reporting period.

2. Parties under the control of the Government of Southern Sudan

(a) Pibor Defence Forces

This party has also been responsible for killing and maiming and committing rape and other grave sexual violence against children in the reporting period.

(b) Sudan People's Liberation Army (SPLA)

This party has also been responsible for committing rape and other grave sexual violence against children in the reporting period.

Parties in Darfur

1. Parties under the control of the Government of the Sudan

(a) Chadian opposition groups

This party has also been responsible for killing and maiming and committing rape and other grave sexual violence against children in the reporting period.

(b) Darfur Government supporting militias called the Janjaweed

This party has also been responsible for killing and maiming, committing rape and other grave sexual violence, attacks on schools and hospitals and denial of humanitarian access to children in the reporting period.

(c) Police Forces, including the Central Reserve Police

This party has also been responsible for killing and maiming and committing rape and other grave sexual violence against children in the reporting period.

(d) Popular Defence Forces

This party has also been responsible for killing and maiming and committing rape and other grave sexual violence against children in the reporting period.

(e) Sudan Armed Forces (SAF)

This party has also been responsible for killing and maiming, committing rape and other grave sexual violence, attacks on schools and hospitals and denial of humanitarian access to children in the reporting period.

2. Former rebel parties who have accepted the Darfur Peace Agreement

(a) Justice and Equality Movement (Peace Wing)

This party has also been responsible for killing and maiming and committing rape and other grave sexual violence against children in the reporting period.

(b) Sudan Liberation Army (SLA)/Abu Gasim

This party has also been responsible for killing and maiming and committing rape and other grave sexual violence against children in the reporting period.

(c) Sudan Liberation Army (SLA)/Free Will

This party has also been responsible for killing and maiming and committing rape and other grave sexual violence against children in the reporting period.

(d) Sudan Liberation Army (SLA)/Minni Minnawi

This party has also been responsible for killing and maiming and committing rape and other grave sexual violence against children in the reporting period.

3. Rebel parties who have rejected the Darfur Peace Agreement

(a) Sudan Liberation Army (SLA)/Abdul Wahid

This party has also been responsible for the abduction of children in the reporting period.

(b) Sudan Liberation Army (SLA)/Shafi

This party has also been responsible for the abduction of children in the reporting period.

Annex II

List of parties that recruit or use children in situations of armed conflict not on the agenda of the Security Council, or in other situations of concern, bearing in mind other violations and abuses committed against children

Parties in Chad

1. Chadian National Army

This party has also been responsible for killing and maiming and committing rape and other grave sexual violence against children in the reporting period.

2. Chadian self-defence groups operating in Ade, Dogdore and Mogororo

3. Government of the Sudan-backed militias, known as the Janjaweed

4. Sudanese armed groups backed by the Government of Chad

   (a) Justice and Equality Movement

   (b) Sudan Liberation Army — G19 faction

5. Union des forces pour la démocratie et le développement (UFDD)

This party has also been responsible for committing rape and other grave sexual violence against children.

Parties in Colombia

1. Ejército de Liberación Nacional (ELN)

This party has also been responsible for killing and maiming, abductions, committing rape and other grave sexual violence and the denial of humanitarian access to children in the reporting period.

2. Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo (FARC-EP)

This party has also been responsible for killing and maiming, abductions, committing rape and other grave sexual violence and the denial of humanitarian access to children in the reporting period.

3. Illegal armed groups not participating in the demobilization process

   (a) Autodefensas Campesinas del Casanare

   (b) Frente Cacique Pipinta

Parties in the Philippines

1. Abu Sayyaf Group (ASG)

2. Moro Islamic Liberation Front (MILF)

3. New People's Army (NPA)

Parties in Sri Lanka

1. Karuna faction

This party has also been responsible for killing and maiming and abductions of children in the reporting period.

2. Liberation Tigers of Tamil Eelam (LTTE)

This party has also been responsible for killing and maiming and abductions of children in the reporting period.

Parties in Uganda

1. Lord's Resistance Army (LRA)

This party has also been responsible for committing rape and other grave sexual violence against children in the reporting period.

2. Government armed forces and defence units

(a) Local defence units

This party has also been responsible for committing rape and other grave sexual violence against children in the reporting period.

(b) Uganda People's Defence Forces (UPDF)

This party has also been responsible for committing rape and other grave sexual violence against children in the reporting period.

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Report of the Secretary-General on children and armed conflict in Sri Lanka

Summary

The present report, prepared pursuant to Security Council resolution 1612 (2005), is submitted to the Council as a country update report on the situation of children and armed conflict in Sri Lanka. It covers the period from 1 November 2006 to 14 September 2007 and provides an update on the follow-up by the parties to the conflict to the recommendations and conclusions made by the Working Group of the Security Council on Children and Armed Conflict.

The report provides information on progress in ending the recruitment and use of children by armed groups or armed forces and other grave violations committed against children in Sri Lanka. It notes that, while there has been limited progress in the release of children associated with the Liberation Tigers of Tamil Eelam (LTTE) and Tamil Makkal Viduthali Pulikal (TMVP)/Karuna faction as previously called for, both groups continue to abduct children, direct attacks against civilians and impede the access of humanitarian actors.

The report commends the Government's establishment of a multidisciplinary task force on children and armed conflict and welcomes the agreement of the Liberation Tigers of Tamil Eelam to increase dialogue with the United Nations Children's Fund on the release of children. It calls on LTTE and the TMVP/Karuna faction to cease the abduction, recruitment and use of children, release all children associated with their forces, engage in transparent procedures for release and verification, and finalize action plans with the United Nations country team which meet international standards. It also urges the interdisciplinary committee established by the Government to report in the shortest time possible on allegations that elements of the Government security forces are supporting the forced recruitment of children by the TMVP/Karuna faction.

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I Introduction

1. The present report has been prepared at the request of the Security Council Working Group on Children and Armed Conflict and covers the period from 1 November 2006 to 14 September 2007. It provides information on compliance and progress in ending the recruitment and use of children by armed groups or armed forces and other grave violations and abuses being committed against children affected by armed conflict in Sri Lanka. It also provides an update on the follow-up by the parties to the conflict to the recommendations and conclusions made by the Working Group on 10 May 2007 (S/AC.51/2007/9).

2. The report provides information pertaining to trends concerning the six violations being monitored and includes examples of some of the incidents that the task force on monitoring and reporting in Sri Lanka has verified. Efforts are being made to strengthen the monitoring and reporting of grave violations against children in the context of the conflict at both the national and district levels. Support is required to enhance the capacities of national institutions and local civil society networks for advocacy, protection and rehabilitation of children affected by armed conflict to ensure the sustainability and effectiveness of local child-protection initiatives.

II. General political, military and social situation prevailing during the reporting period

3. The security situation in the north and east of Sri Lanka continued to deteriorate with intensified military confrontations. In the north, there were sea and land confrontations between the Sri Lankan security forces and the Liberation Tigers of Tamil Eelam (LTTE) concentrated in the Jaffna peninsula and an intensification of hostilities along the forward defence line, including artillery exchanges near Jaffna city. There were aerial strikes by the Sri Lankan Air Force on Kilinochchi and Mullaitivu districts. Fighting commenced in the vicinity of Vaharai, Batticaloa, in October 2006, with air, sea and land offensives. Almost daily shelling between the Sri Lankan Army and LTTE was experienced in Batticaloa from October 2006 to June 2007, and was particularly serious in March 2007. The Karuna faction also launched attacks on LTTE in Batticaloa.

4. The intensification of the conflict severely affected the local population and led to the large-scale displacement of civilians, the majority of whom are children, during the reporting period, predominantly from Batticaloa, Mullaitivu, Kilinochchi and Jaffna districts. The numbers of people displaced by the recent conflict fluctuated throughout the reporting period. As of August 2007, an estimated 180,000 individuals were displaced in Sri Lanka owing to the escalation of the conflict since April 2006; and 97,923 individuals (30,150 families) returned to their places of origin.

5. In 2007, concerns were raised about the massive recruitment of people, including children, into LTTE through a family quota system, according to which every family is required to contribute a family member to LTTE. LTTE also imposed strict restrictions on the freedom of movement of civilians, prohibiting

people from leaving the Vanni[1] unless they are provided with an authorized pass. Communities in the north and east also faced serious constraints in accessing food, water, education and livelihoods. The contamination of areas with different types of landmines, unexploded ordnance and explosive remnants of war posed a threat to civilian lives in the affected districts.

6. Overall, the operating environment for international monitors and humanitarian workers has become increasingly insecure, with seven humanitarian workers killed since 1 November 2006, including staff from the Sri Lankan Red Cross, the Danish Refugee Council and the Danish Demining Group. This has had a detrimental impact upon the protective environment for the civilian population, in particular for vulnerable groups such as children. In addition, the heightened politicization of humanitarian issues in the media, including issues pertaining to children, negative media and, at times, statements by a few Government officials against the United Nations, non-governmental organizations (NGOs) and humanitarian workers further worsened the working environment for humanitarian workers, compromised their ability to carry out their work and potentially endangered their safety and security. Security concerns were also raised because of threats made to humanitarian workers, including child protection workers and media representatives who covered aspects of humanitarian-related issues, by armed groups, including by the Tamil Makkal Viduthali Pulikal (TMVP)/Karuna faction.

III. Grave violations of children's rights

A. Recruitment and use of children in armed forces and groups

1. Liberation Tigers of Tamil Eelam

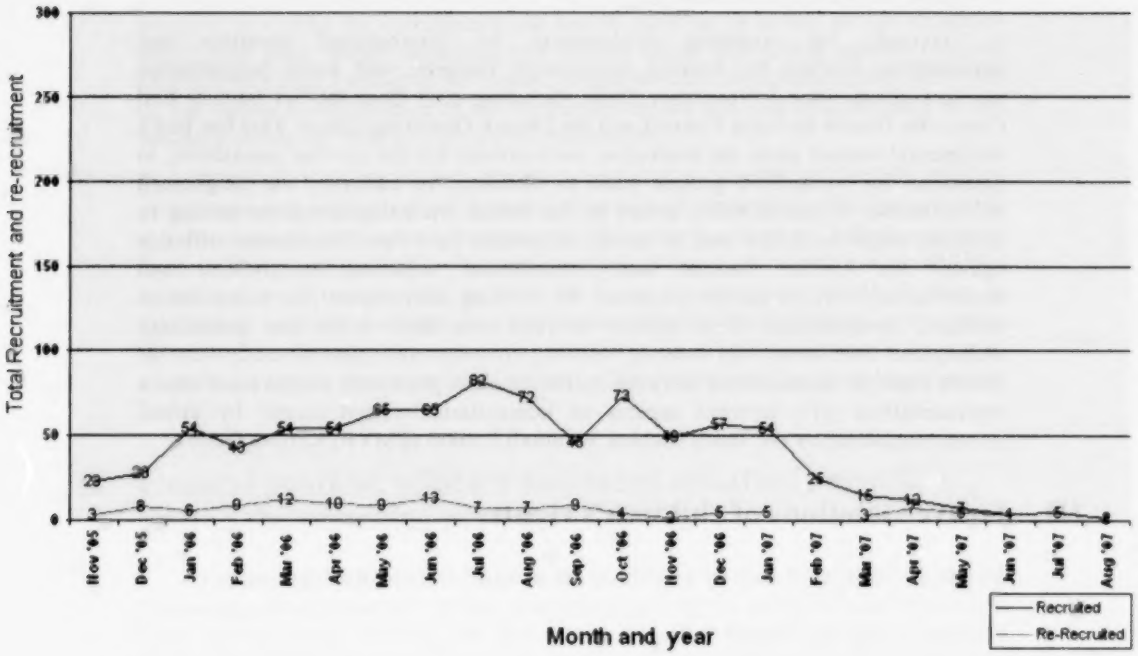
7. LTTE was listed in annex II of the Secretary-General's report on children and armed conflict (S/2006/826) and all of the Secretary-General's previous reports on children and armed conflict as a group recruiting and using children as soldiers. From 1 November 2006 to 31 August 2007, the United Nations Children's Fund (UNICEF) received reports of 262 children recruited by LTTE, including 32 who were re-recruited. This represents a significant reduction in the rate of reported recruitment of children by LTTE, as compared to the previous reporting period.[2]

8. As indicated in table 1, during the period between November 2006 and August 2007, the highest number of reports of recruitment received by UNICEF occurred in December 2006, with 62 reports received of children being recruited, including the re-recruitment of five children. Since December 2006, the rate of reported recruitment of children has declined. It should, however, be noted that the resumption of hostilities between the parties may have heightened fear in the communities, impacting the confidence and ability of concerned families to report cases of child recruitment. These tables therefore should be seen as indicative of trends and not the total caseload concerned.

[1] The Vanni refers to Kilinochchi, Mulaitivu and the "uncleared" areas of Mannar and Vavuniya districts.

[2] During the previous 12-month reporting period, 756 children were reported to have been recruited, including 97 who were re-recruited.

Table 1
Reported recruitment and re-recruitment of children by LTTE from 1 November 2005 to 31 August 2007

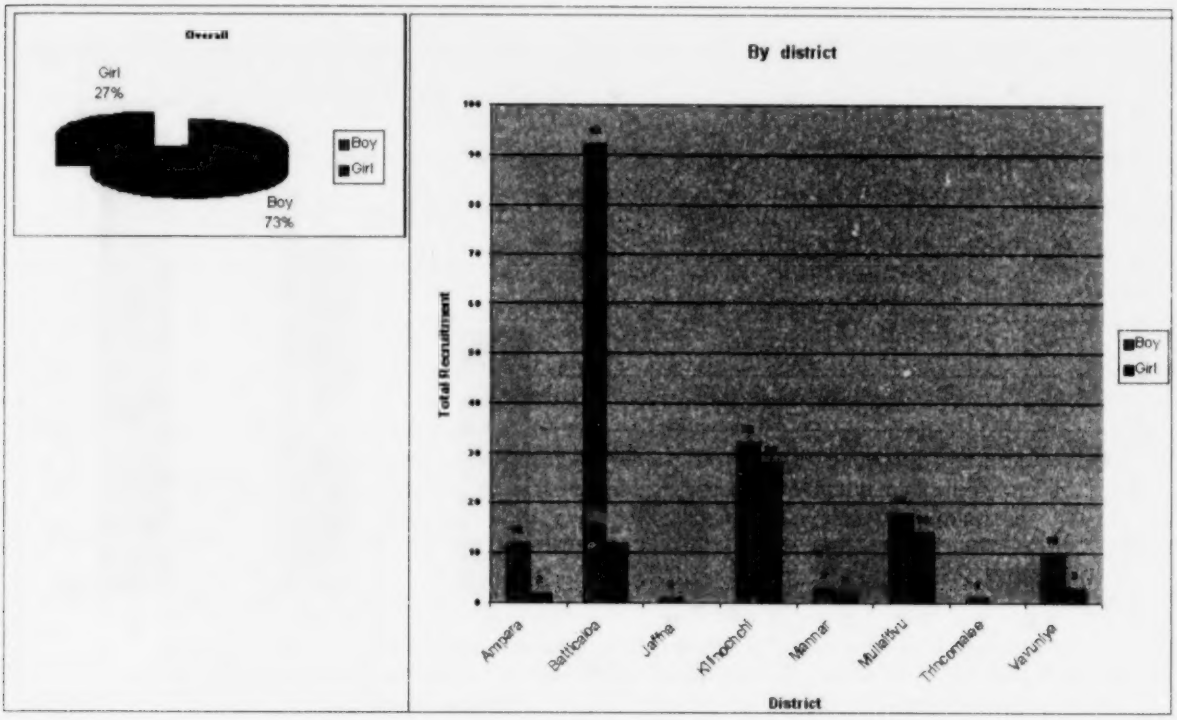


9. From 1 November 2006 to 31 August 2007, 41 per cent of the children reported to have been recruited or re-recruited (109 children) were from Batticaloa district, followed by Kilinochchi, with 27 per cent of reports received of children recruited from the district (71 children). Jaffna experienced the lowest reports of child recruitment among the north and east districts, with one child recruited, one child re-recruited and one child released during the period, which reflects a substantial reduction in the rate of reported recruitment as compared to the previous 12-month reporting period.[3] This may reflect a positive aspect of the closure of the forward defence line by the Sri Lankan security forces since 11 August 2006 and the operation of strict curfews in Jaffna during the night.

10. As indicated in table 2, of the total number of children recruited, 169 were boys and 61 were girls.

[3] From 1 November 2005 to 31 October 2006, 74 children were reported to have been recruited or re-recruited in Jaffna.

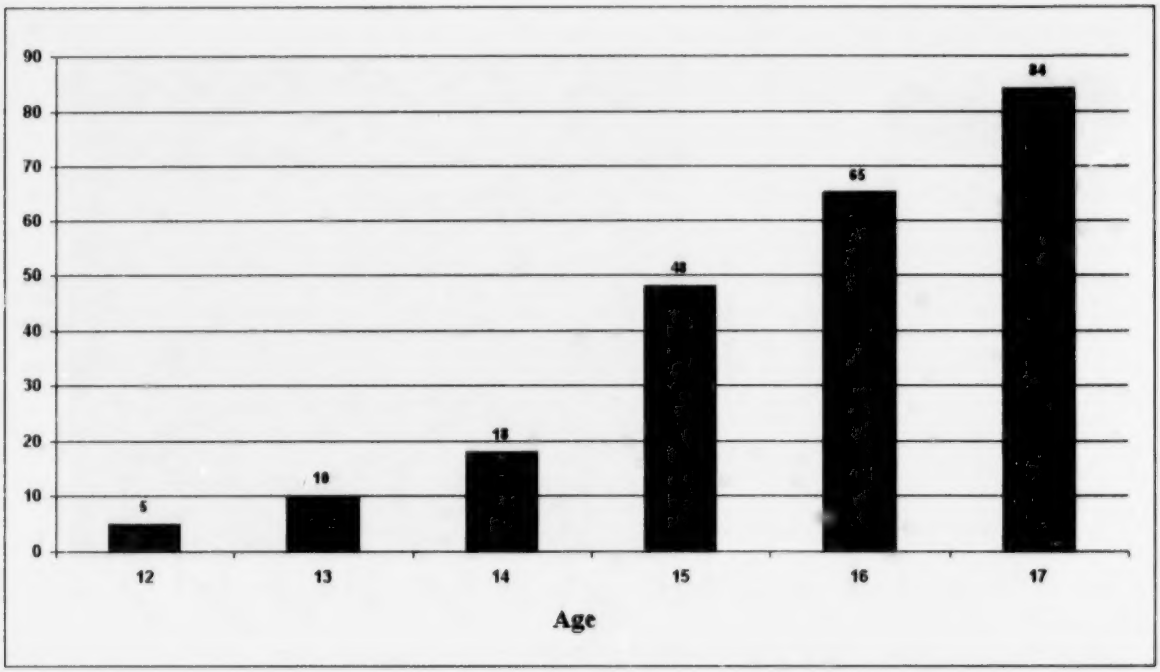
Table 2
Gender analysis of recruitment by district from 1 November 2006 to 31 August 2007



11. LTTE indicated a change in its policy on the minimum age of recruitment on 15 October 2006, establishing 17 years as its minimum age in contravention of applicable international and national legal standards. As a result of continued advocacy and pressure from the international community, LTTE affirmed its commitment to change its current policy and raise its minimum age of recruitment to 18 years on 15 October 2007. As indicated in table 3, the average age of children recruited by LTTE is 15.78 years.[4]

[4] On the basis of cases reported to UNICEF and with reference to the child's birth certificate, the average age of underage recruits has been 16 years since 2004. The average age of underage recruits was 15 years in 2002 and 2003 and 14 years in 2001.

Table 3
Age analysis of children at the time of recruitment by LTTE from 1 November 2006 to 31 August 2007

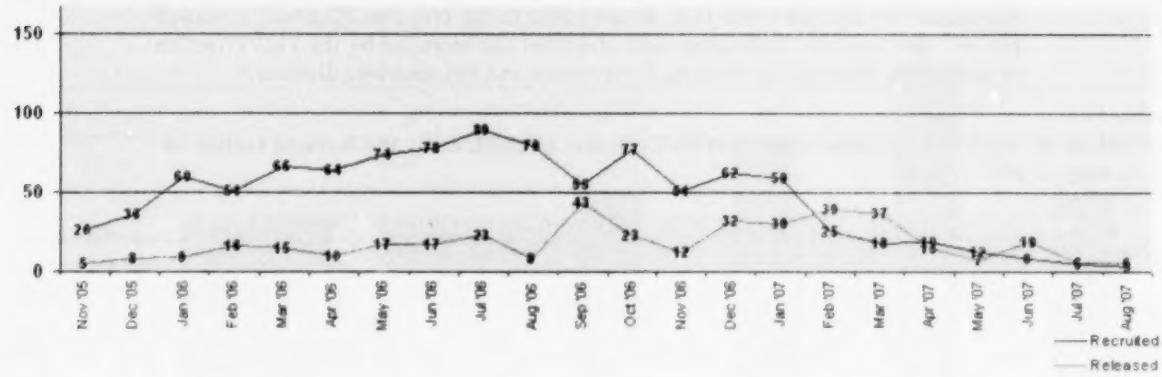


12. From 1 November 2006 to 31 August 2007, 203 children were verified[5] by UNICEF to have been released by LTTE.[6] Most of the children were released from Kilinochchi district, followed by Mullaitivu and Batticaloa districts.

[5] When a child is released, runs away or otherwise returns home from LTTE, UNICEF visits the home of the child to verify that the child is at home.

[6] 196 children were released in the previous 12-month reporting period.

Table 4
Trends in the reported recruitment and verified releases of children by LTTE from 1 November 2005 to 31 August 2007



13. In February, March, June, July and August 2007, for the first time since the UNICEF underage recruitment database was established in 2002, the monthly figure of children released exceeded that of children reported as recruited in the month, as shown in table 4. Of the 6,221 children registered on the UNICEF database as having been recruited since 2001, 1,469 cases remain outstanding, including 335 children currently under 18 years of age as of 31 August 2007.[7]

14. There has been a marked reduction in the number of children handed over by LTTE to its Educational Skills Development Centre from December 2006 to June 2007, with 31 children handed over. As of 22 August 2007, eight children formerly associated with LTTE remained in the Centre and UNICEF was in the process of arranging the return of these children to their families at the time of reporting.

15. An issue of concern raised during the reporting period is the travel restrictions imposed by LTTE involving the movement of people out of the Vanni, including children aged 13 years and above. In order to be able to leave the Vanni, a local pass must be granted by LTTE, which often proves difficult to obtain. Children released from LTTE, especially those who were in the movement for a substantial period of time, are particularly vulnerable as they are not provided with the necessary documentation to enable their movement outside the Vanni, which has resulted in some instances of children not being able to be reunified with their families. There is an urgent need for LTTE to ensure that necessary documentation is provided so that released children are able to return to their families and homes.

2. Tamil Makkal Viduthali Pulikal (TMVP)/Karuna faction

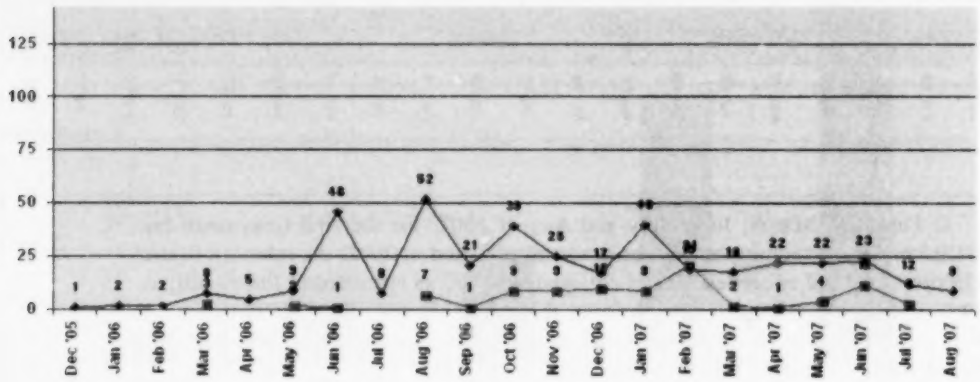
16. The Karuna faction was also listed in annex II of the Secretary-General's aforementioned report on children and armed conflict. It continued to recruit and re-recruit children throughout the reporting period, in particular in Batticaloa

[7] The UNICEF child recruitment database includes cases of children who were under 18 years of age at the time of recruitment. Some of these children have since turned 18 years of age. However, as their rights were violated at the time of recruitment, they remain in the database and UNICEF advocates for their release.

district, where UNICEF received 78 per cent of the reports of children being recruited. As shown in table 5, from 1 November 2006 to 31 August 2007, UNICEF received reports of 207 children recruited by the TMVP/Karuna faction, including 45 who were re-recruited. This represents an increase in the rate of reported recruitment by the TMVP/faction, as compared to the previous 12-month reporting period.[8] The majority of children were abducted and recruited by the TMVP/faction in Batticaloa, followed by Ampara, Trincomalee and Polonnaruwa districts.[9]

Table 5

Trends in the reported recruitment and verified releases of children by the Karuna faction as of 31 August 2007



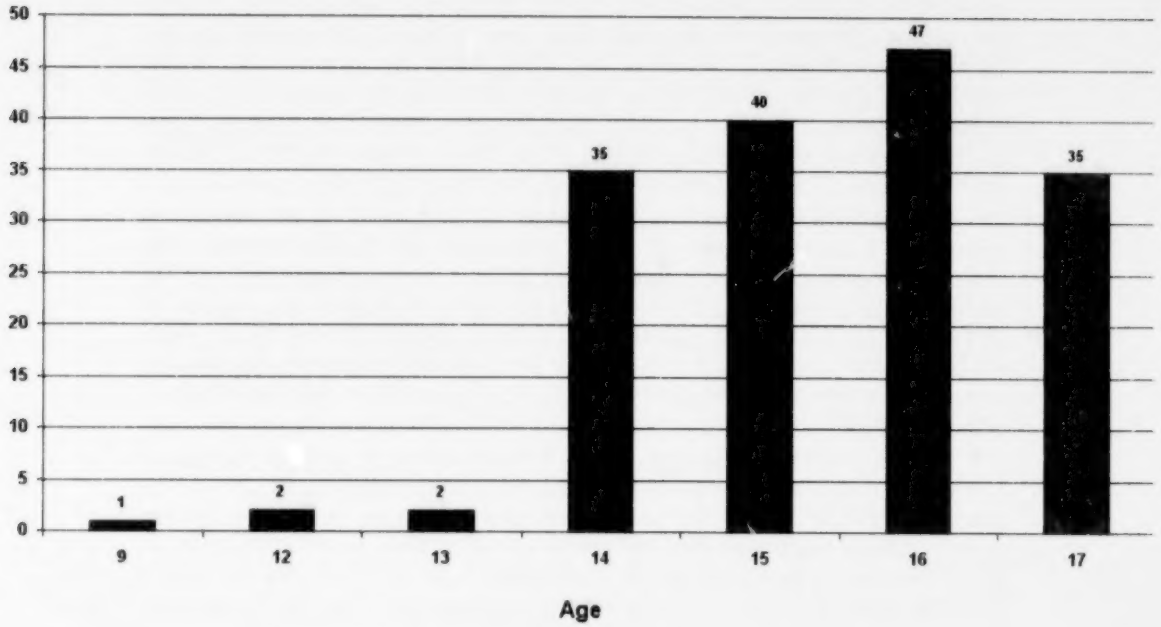
17. From 1 November 2006 to 31 August 2007, 71 children were verified by UNICEF to have been released by the TMVP/Karuna faction, mainly from Batticaloa district; another 65 are known to have escaped. Although 23 children were released by the TMVP/faction in the current reporting period, which represents an increase in the numbers released, as compared to the previous 12-month reporting period, 10 were re-recruited from 1 November 2006 to 31 August 2007. For example, on 4 February 2007, the TMVP/Karuna faction released eight boys in the presence of UNICEF and by 12 February 2007, three of them had been re-recruited and remain with the TMVP/faction.

18. Of the 385 children registered on the UNICEF database as having been recruited by the TMVP/Karuna faction, 214 cases, including 160 children currently under 18 years of age, remained outstanding as of 31 August 2007. As shown in table 6, the average age of the children recruited by the TMVP/faction was approximately 16 years during the reporting period. To date, no age verification processes have been instituted by either the political or military wings of the TMVP/faction. All except one of the children recruited were boys.

[8] 193 children were reported to UNICEF to have been recruited by the Karuna faction, including the re-recruitment of 18 children in the previous 12-month reporting period from 1 November 2005 to 31 October 2006.

[9] 162 children were recruited in Batticaloa district; 27 were recruited in Ampara district; 11 were recruited in Trincomalee district; and 7 were recruited in Polonnaruwa district.

Table 6
Age analysis of children at the time of recruitment by the Karuna faction from 1 November 2006 to 31 August 2007



19. A further disconcerting trend has been the payment of monthly allowances to some of the children recruited upon completion of military training by the TMVP/Karuna faction. This may have the effect of stifling reports by impoverished families, who may actually encourage underage recruitment. Reports have been received that families or recruits are receiving a monthly allowance ranging from SL Rs 6,000 to SL Rs 12,000 (approximately $60 to $120). UNICEF has recorded 36 cases of recruited children who are receiving payments in Batticaloa district alone.

20. An additional concern is the targeting of children previously associated with LTTE by the TMVP/Karuna faction in eastern Sri Lanka. Families of children who returned home from LTTE have been requested to report to the TMVP offices with their children. Reports were received that on several occasions, TMVP refused to release these children, claiming that they were holding them for inquiries. In a number of cases, this has resulted in the re-recruitment of children by the TMVP/Karuna faction. This raises concerns for the ongoing care and protection of children released from LTTE and demands increased attention to the security of these children from the Government authorities, who have regained full control of the east.

B. Abduction

21. From 1 January to 30 June 2007, the Human Rights Commission of Sri Lanka received 83 complaints of child abductions,[10] with the majority of reported cases occurring in Batticaloa, followed by Vavuniya, Trincomalee and Kalmunai, Ampara and Jaffna. Thirty-one of the abductions were allegedly perpetrated by the TMVP/Karuna faction, 7 allegedly by LTTE, while the perpetrators for the remaining 45 children are unknown. The ages of the children reported to have been abducted ranged from 8 to 17 years, with the vast majority of children being 17 years of age. At the time of reporting, 68 of the 83 complaints received by the Human Rights Commission remained pending an inquiry or tracing.

22. The majority of the reports of children abducted were in the context of recruitment occurring mainly in Jaffna, Batticaloa and Ampara districts. On 18 December 2006, 22 students, aged 15 and 16 years, were abducted by LTTE for recruitment purposes while attending a tutorial class in Ampara. As a result of advocacy by UNICEF with LTTE, all of the children were released within two days. On 22 December 2006 and 18 March 2007, two boys were reportedly detained by the Government of Sri Lanka security forces in Jaffna and have subsequently been reported missing.

23. Abduction and recruitment of children by the TMVP/Karuna faction continued to take place from the streets, temples, homes and internally displaced persons camps in the east, mainly in Government-controlled areas. Reports were also received that children were recruited and abducted in areas in close proximity to Sri Lankan security forces offices and checkpoints. All of the TMVP/Karuna faction abduction cases involved forced recruitment, in some cases by armed men who identified themselves as members of the faction.

C. Incidents of killing and maiming

24. Since 1 November 2006, there were verified reports of 45 children killed and 77 children maimed owing to the conflict, with more than half of the incidents occurring in Batticaloa, followed by Mannar and Jaffna districts.

25. Eleven of the 45 verified cases (25 per cent) of children killed owing to the conflict were registered in the UNICEF underage recruitment database as children recruited by armed groups.[11] Four of the children maimed during the reporting period were also registered in the database as having been recruited by an armed group.[12] Examples include the killing of a 17-year-old boy, who was recruited by the TMVP/Karuna faction, in a claymore mine attack allegedly perpetrated by LTTE in Batticaloa on 29 December 2006. On 11 March 2007, a 15-year-old LTTE-recruited boy was killed in an attack in Batticaloa between the Sri Lankan Army and LTTE. On 12 March 2007, two 17-year-old boys, recruited by LTTE,

[10] It should be noted that some of these cases may have also been reported to UNICEF and included in the underage recruitment database. The abduction and recruitment of a child constitutes two distinct violations. The cases in the UNICEF underage recruitment database and on the list of child abduction cases of the Human Rights Commission have not been cross-referenced; hence, some children may appear on both agencies' registers.

[11] Including nine children recruited by LTTE and two recruited by the Karuna faction.

[12] Including two children recruited by LTTE and two recruited by the Karuna faction.

were shot and killed during fighting between the Sri Lankan Army and LTTE in Batticaloa.

26. Seventeen children were verified to have been killed and 52 were verified to have been maimed by aerial bombardments and shelling during the reporting period. On 2 January 2007, a Sri Lankan Air Force aerial bombardment killed seven children (4 boys and 3 girls) and injured eight others (5 boys and 3 girls), in Padahuthurai, an internally displaced persons village near Mannar. All but one of the children were under the age of 10 years. On 11 July 2007, a 16-year-old boy was killed and a 15-year-old boy was maimed by a Sri Lankan Air Force aerial bombing in Mullaitivu. On 29 March 2007, four children (aged 1-16 years) were killed and four children (aged 5-16 years) were maimed during shelling in Batticaloa. The perpetrator remains unknown; the Sri Lankan Army and LTTE have accused each other of perpetrating the violation.

27. Children were also among the casualties of the indiscriminate use of claymore mines and other explosive devices, including the verified killing of 8 children and the maiming of 20 others during the reporting period. A series of mine attacks on buses killed and maimed children. On 2 April 2007, three children (aged 4, 6 and 17 years) were killed and four others (aged 1, 3, 11 and 17 years) were maimed in a bus explosion at a Government of Sri Lanka Special Task Force military checkpoint in Ampara that was attributed to LTTE. On 7 April 2007, a 15-year-old boy was killed and four children were injured by a claymore mine explosion that hit a civilian bus in Vavuniya. The perpetrator remains unknown and the Sri Lankan security forces and LTTE have accused each other of perpetrating the violation.

D. Attacks on schools and hospitals

1. Attacks on schools

28. Attacks on schools by the parties to the conflict have detrimentally affected children's education in multiple ways. Two hundred sixty-one schools have been recorded by education authorities as physically damaged or destroyed during the entire period of the conflict.[13] Although the extent of the damage varies from minor to total destruction, all physical damage to schools impacts upon children's access to education.

29. During the current reporting period, six reports of attacks on schools were verified, some of which include:

- On 8 November 2006, a Sri Lankan Army artillery bombardment hit an internally displaced persons camp located in Kathiraveli Vickneswara Vidyalayam School in Vaharai, Batticaloa. At least 26 civilians died (including 2 children) and at least 69 civilians were injured (including 21 children under the age of 15 years). The total number of children killed and injured was not possible to determine owing to limited access. The school building suffered extensive damage

[13] Data collected from zonal Departments of Education, August 2007: Jaffna, Kilinochchi, Mullaitivu, Vavuniya, Mannar, Trincomalee and Batticaloa districts.

- On 7 December 2006, Kallar Somdevi School in Trincomalee was damaged by LTTE shelling, which resulted in the death of a teacher and the injury of 15 persons, including 5 children aged from 6 to 15 years
- On 19 March, a Sri Lankan Army aerial bombardment injured a teacher and two students (aged 11 and 16 years) in Vadamaradchy East, Jaffna, resulting in the relocation of the Chundikulam Vidyalayam School. Seven hundred and eighty students were affected by the attack, as the school was hosting displaced students from three schools affected by earlier conflict-related incidents. The attack increased parents' fear of sending their children to school and impacted upon the regular attendance and ability of the children to follow the subscribed curriculum
- On 4 July 2007, Sri Lankan Army shelling damaged Palayavadi School in north Vavuniya, resulting in the temporary closure of the school for two weeks, displacement and loss of education for 42 students for two weeks, damage to the classrooms and the loss of teaching materials

30. In addition, a small but significant number of schools in Jaffna district have been occupied by both civilian and military armed personnel of the Sri Lankan security forces. It has been reported that the principal's office in the Jaffna Central College was occupied as a police post and that two schools in Point Pedro, Jaffna are being occupied by the Sri Lankan Army. Children in Jaffna were also affected by Sri Lankan Army searches in schools, such as on 27 February 2007, when such searches disrupted schooling for a day owing to allegations that two persons associated with LTTE threw a grenade and fired at the Sri Lankan Army before escaping through the school.

31. At the height of the conflict in Batticaloa, in April 2007, 105 schools were temporarily closed for several weeks and sometimes months, impacting more than 30,000 children. The closure was due to the continued shelling, the occupation of schools by displaced families and the proximity of schools to artillery bases. Of these 105 schools, 38 in Batticaloa were temporarily closed owing to the continued occupation by displaced families in January and February 2007 and again in April and May 2007, resulting in the inability of children to attend school and the delayed opening of 29 schools for the 2007 academic year for up to one month. Many schools in Ampara, Mannar, Trincomalee, Kilinochchi and Mullaitivu were also affected by hosting displaced families since November 2006.

32. Regular attendance of children at school was also affected by the multiple displacements of students, teachers and communities in the Vanni and the eastern districts. Children displaced from Trincomalee, Vaharai and Batticaloa, missed up to two terms of the 2006 academic year. Extended absence coupled with disruptions in schools during resettlement resulted in an increased number of children dropping out of school and the inability of many children to perform competitively in exams. Fear of Sri Lankan Air Force aerial attacks further impacted upon the regular attendance of children in the Vanni. Sri Lankan Army shelling into Vaharai in November and December 2006 also hindered teachers' access to schools. For example, in early November 2006, shelling on the main road hit a bus transporting teachers from Batticaloa to Vaharai. Fear of similar attacks prevented the same teachers from returning to Vaharai for several weeks. Safe access and delays at checkpoints in high security areas and uncleared areas in Ampara, Batticaloa, Trincomalee and Jaffna districts have also led to irregular attendance by teachers

and children as well as shortened school hours. In addition, schools that are located near military camps in Jaffna are compelled to provide daily attendance lists of all pupils.

2. Attacks on hospitals

33. During the reporting period, there were three verified reports of attacks on hospitals. A Gramodaya Health Centre in Vaharai, Batticaloa was damaged by Sri Lankan Army shelling on 18 October 2006 and was utilized by the Army from January till the end of July 2007. The Government of Sri Lanka's Special Task Force has also utilized a maternity ward and on-call duty room at a hospital in Batticaloa since July 2007, resulting in limited access for maternal care. On 14 July 2007, Army shelling damaged the maternity section and out-patient department of a hospital in north Vavuniya. The electricity transformer which provided the regular power supply to the hospital was totally damaged during the shelling and has not functioned since. Hospital staff are also afraid to work at the hospital owing to ongoing shelling. As a result, the hospital has been operational at a minimal level since the attack. Additional attacks on hospitals, including physical damage from shelling and the utilization and looting of medical equipment, have been reported, in particular in Batticaloa and Trincomalee; though, these incidents have not been verified to date.

E. Grave sexual violence

34. No cases of rape or other grave sexual violence against children owing to the conflict have been reported.

F. Denial of humanitarian access for children

35. During the reporting period, the actions of all parties to the conflict continued to impact seriously upon the operations of humanitarian agencies and the delivery of humanitarian assistance, in particular to the most vulnerable, including children, across the north and east of Sri Lanka.

36. In Batticaloa and Trincomalee, restrictions on humanitarian access continued to impede the delivery of humanitarian assistance. As a direct consequence of the LTTE restriction on civilian movement, a 13-year-old girl was among six internally displaced persons who died when their boat capsized as they tried to escape from Vaharai, Batticaloa, on 15 December 2006. With the exception of one joint humanitarian convoy, access was denied by the Sri Lankan security forces to humanitarian agencies, including the United Nations, in Vaharai throughout November and December 2006, after intense military operations in LTTE-controlled areas.[14] Severe shortages of food and medical supplies were reported inside Vaharai. In particular, access was extremely limited in Vaharai North and Vallevelly, Paddipalai and Vavunatheevu in south-west Batticaloa.

37. In Jaffna, the continued closure of the forward defence line at Muhumalai since 11 August 2006 continued to impede the flow of essential goods, including food, humanitarian supplies, construction materials and agricultural items, into

[14] The area was officially taken over by the Sri Lankan Army on 29 January 2007.

Jaffna. Access to and from the Jaffna peninsula remained possible only via limited air and boat services, with ships chartered by both the Commissioner General of Essential Services as well as the private sector. Serious shortages of food were reported for several months and young children were particularly at risk from malnutrition. Transportation services improved during the second half of the reporting period, in particular from June 2007, resulting in a significant increase in the availability of both food and non-food commodities. Nevertheless, prices remain high and food production capacities and purchasing power of civilians remain weak, particularly given the limited livelihood opportunities and lack of access to markets. A significant proportion of the population remains dependent on food assistance.

38. Humanitarian assistance in the Vanni continued to be hampered by restrictions on the transportation of supplies, including fuel, shelter materials, generators for the cold chain, medical supplies and construction materials across the forward defence line in Omanthai. Humanitarian agencies continued to report long delays in the granting of Ministry of Defence clearance for the transportation of items. Consequently, they have had insufficient supplies to meet project requirements, particularly in relation to shelter activities. Following the issuance of a Sri Lankan Army directive in mid-April, all vehicles, including United Nations vehicles, have been subject to thorough searches at the forward defence line, involving offloading of all items in vehicles and body searches of international and national staff, which often resulted in delays of several hours at checkpoints.

39. During May 2007, the forward defence line in Omanthai was completely closed for almost two weeks, following intense fighting. Access restrictions contributed to the death of two children (a newborn baby girl who required emergency paediatric services and a 2-year-old girl who died of acute renal failure) in Kilinochchi Hospital on 26 and 30 May 2007, respectively. Permission for transportation of the infants by ambulance across the forward defence line to Vavuniya Hospital for specialist treatment was denied by the Sri Lankan Army.

40. Fear of forced recruitment by LTTE impacted upon the willingness of many national and international NGO staff to work in the Vanni. Attempts were also made by LTTE to recruit United Nations national staff members, but were prevented through United Nations interventions with LTTE.[15] Humanitarian personnel have also been requested to contribute money or "voluntary work" to LTTE. A detailed pass system introduced in January 2007 created additional restrictions on freedom of movement for humanitarian actors, including the United Nations, and national and international NGOs. Permission to leave the Vanni is dependent on the fulfilment of specific conditions, including that one family member remains in the Vanni.

41. The increasing presence of armed groups, particularly the TMVP/Karuna faction, in the internally displaced persons sites in Batticaloa led to serious security concerns for humanitarian actors. A number of international agencies received direct threats from the TMVP/faction, which has also been involved in the looting of internally displaced persons sites and the theft of shelter and other assistance materials from United Nations warehouses, adversely affecting vulnerable children and their families.

[15] For example, on 5 June 2007, LTTE attempted to recruit two United Nations staff members in Mullaitivu; intervention by United Nations security officials prevented their recruitment.

42. A Consultative Committee on Humanitarian Access comprising United Nations agencies, the International Committee of the Red Cross and representatives of the European Union was earlier established under the Ministry of Disaster Management and Human Rights in order to solve problems related to fuel, food supplies, medicine and essential items and to respond to the difficulties faced in carrying out their activities. The Consultative Committee has proven to be a useful mechanism to raise issues and ensure follow-up and commitments by the Government of Sri Lanka. However, it has been observed that there is often a significant time lag between commitments made at the Committee level and implementation of the decisions on the ground.

IV. Dialogue and action plans to redress violations of children's rights

A. Liberation Tigers of Tamil Eelam

43. During the visit of the Special Adviser to my Special Representative for Children and Armed Conflict, Ambassador Rock, in November 2006, LTTE agreed to increase dialogue with UNICEF on the release of children remaining in their ranks. It officially designated the so-called Child Protection Authority of LTTE as the interlocutor on child recruitment issues and Security Council resolution 1612 (2005). Advocacy with LTTE was conducted predominantly through the Authority in Kilinochchi.

44. In December 2006, UNICEF and the Child Protection Authority commenced monthly meetings to discuss policy issues, the continued recruitment of children and the development of procedures for the release of children remaining in LTTE ranks. In addition, UNICEF continued to meet with the Authority on a weekly basis in Kilinochchi to address immediate issues of concern, such as the list of newly recruited children and special protection cases, and to provide feedback on the verification of the LTTE list.

45. The dialogue was particularly challenging owing to LTTE insistence that only children born after 1 January 1990 (17-year-old children) would be released, which contravenes international and national legal standards of 18 years as the minimum age of recruitment. The LTTE minimum age of recruitment of 17 years was previously articulated in a document in October 2006. In May 2007, LTTE illustrated its intention to enforce the minimum age of recruitment at 17 years by issuing an announcement on the Voice of Tiger Radio and the local radio requesting all parents whose children were born after 1 January 1990 and believed to be within the ranks of LTTE to report the cases to the Child Protection Authority. On 15 October 2007, LTTE amended its official position committing LTTE not to recruit anyone under the age of 18 years.

46. Discussions were further challenged by the geographical distinctions that were drawn by LTTE in relation to the process of releasing children in the east, owing to the lack of coordination and communication with the LTTE eastern commanders as the Sri Lankan security forces took greater control over the eastern districts. While appreciating the variance in circumstances throughout the country, UNICEF reiterated the LTTE obligations to release children it had recruited, regardless of the changing security context.

47. Despite the many challenges, the results of the regular dialogue include:

- LTTE provided a list of 227 children that it claimed to have "released" during the reporting period, including 31 children who were reportedly released to the Education Skills Development Centre, and 196 children who were reportedly released to their parents. UNICEF subsequently attempted to verify if the children on the LTTE list had been released. One hundred and sixteen of the 227 children were found to have been released to their parents. From 1 November 2006 to 31 August 2007, the UNICEF database reported that 203 children in total were verified by the Fund to have been released by LTTE
- UNICEF provides a weekly list of newly recruited children to the Child Protection Authority in order to expedite the release of newly recruited children
- In June and July 2007, as agreed with the Child Protection Authority, UNICEF undertook an extensive verification exercise of 515 children who are currently under the age of 18 years, who were listed as "outstanding" or still with LTTE on the UNICEF database in order to authenticate the status of the children. Of the 515 children listed, 305 were confirmed still to be within the ranks of LTTE, 96 were verified to have been at their homes after being released or having run away from LTTE and 9 were verified to have died. The status of an additional 105 children could not be verified owing to security restrictions, displacement or the provision of insufficient contact details

48. The Task Force engaged in dialogue with LTTE to develop an action plan to address the concerns raised by the Secretary-General and the Security Council Working Group on Children and Armed Conflict. LTTE signed an "Action Plan" on 15 October 2007 which raises the minimum age of recruitment to 18 years and commits LTTE to release anyone within its ranks under the age of 18 years by 31 December 2007. The "Action Plan" also details commitments to respect the neutrality and security of schools, hospitals and places of worship as "safe zones" and to ensure open and safe access by humanitarian actors to affected areas so that humanitarian supplies and services reach vulnerable communities. However, the "Action Plan" does not yet meet minimum standards on several fronts, including but not limited to allowing full access to the United Nations country team for verification, formalizing principles and time-bound measures for the safe release of children, accountability and prevention of re-recruitment.

B. Tamil Makkal Viduthalaip Puligal/Karuna faction

49. The Task Force also attempted to engage in dialogue with TMVP in relation to the development of an action plan to address concerns raised by the Secretary-General and the Security Council Working Group on Children and Armed Conflict. Despite continued advocacy, there has been little progress with TMVP. On 27 April 2007, UNICEF issued a press release expressing concern about the non-engagement of the TMVP/Karuna faction on fulfilling the commitments it made to my Special Representative.

50. Engagement with the TMVP/Karuna faction has become less frequent following an internal split in the faction with a separate faction, reportedly led by Commander "Pillayan", moving with cadres from their base in Batticaloa to

Trincomalee. The split of the group, however, was not acknowledged by the political leader in Trincomalee. Despite these meetings, a lack of consistency was observed in terms of the frequency of meetings and actions taken against commitments made. The TMVP/Karuna faction issued "regulations" for its own military not to recruit children in January 2007. UNICEF was informed that the regulations were disseminated to all military commanders and that they have been informed there will be disciplinary procedures for those who recruit children.

51. UNICEF explored engagement with the TMVP/Karuna faction on child rights training. However, it was initially felt that the faction would first need to demonstrate its commitment to stop recruiting children and to release them. Some initial awareness-raising training on international standards regarding the recruitment of children was conducted by UNICEF for middle-ranking TMVP/Karuna faction cadres in Trincomalee and a second round of training has been scheduled for higher-ranking cadres.

52. Despite initial engagement on an action plan, the TMVP/Karuna faction demonstrated bad faith on a number of occasions, including leading the United Nations to a falsified training camp in Batticaloa and re-recruiting children within days of releasing them in the presence of UNICEF. As of September 2007, the TMVP/Karuna faction has not demonstrated a full commitment to stop recruiting children and has not released all children within their ranks. Indeed, the faction has continued to abduct and recruit children throughout the reporting period.

53. Of additional concern is the opening of at least 15 TMVP political offices in Batticaloa and five offices in Ampara, in which armed children are regularly sighted. The TMVP/Karuna faction has also reportedly conducted meetings in villages with the aim of identifying those associated with LTTE. In other instances, the TMVP/Karuna faction has reportedly rounded up individuals, including children, in villages and "arrested" those whom they suspect to have been with LTTE or supporters of LTTE. UNICEF advocated for the release of children, noting that it is only the Sri Lankan security forces that have the power to arrest. The TMVP/Karuna faction responded that it had "arrested" the people and would either release them or hand any "suspects" to the Sri Lankan Police.

C. Government of Sri Lanka

54. The Government of Sri Lanka established a multidisciplinary task force on children and armed conflict in April 2007. The task force is chaired by the Secretary of the Ministry of Child Development and Women's Empowerment, and includes representatives from the Ministries of Justice, Education and Defence, the National Child Protection Authority, the Human Rights Commission, the Department of Probation and Child Care Services and UNICEF. The task force has discussed a number of issues, including the harmonization of the national legislation with the United Nations Convention on the Rights of the Child and its Optional Protocol on children and armed conflict; education as a preventive tool against child recruitment; the promotion of birth registration; the protection, rehabilitation and reintegration of former children associated with armed groups; the development of an effective response to allegations against the security forces; and the improvement of law enforcement in relation to child rights violations.

55. The task force is considering formulating a workplan in response to the conclusions and recommendations on Sri Lanka of the Security Council Working Group on Children and Armed Conflict. Proposals have been developed for the expansion of the mandate of the Human Rights Commission to include child rights violations in the work of their offices located in conflict areas and on the rehabilitation and reintegration of former child combatants. Financial resources are being sought for its implementation; however resources have not been forthcoming, as donors are hesitant to support the Commission owing to concerns that have arisen over its independence. Plans are also being developed to strengthen the capacity of the National Child Protection Authority coordinators and district child development committees in conflict-affected areas in order to contribute to the monitoring and reporting of violations and support a response for reducing impunity.

56. There was no further update as at the time of reporting on the Government of Sri Lanka investigation into complaints of child abduction. However, the Government Secretariat for Coordinating the Peace Process recently requested that specific incidents be reported to it in order for investigations to be conducted. UNICEF intervened verbally and in writing with representatives of the Sri Lankan security forces at both the national and district levels regarding the continued presence of children in TMVP political offices and Karuna faction military bases, as well as sightings of armed children within many parts of Batticaloa. A petition was filed with the Presidential Commission and Supreme Court on 11 June 2006 by 40 families concerning the abduction of family members, including 25 children in Batticaloa. A subsequent complaint was filed on behalf of the families to the Human Rights Commission on 19 October 2006. At the time of reporting, there had yet to be an investigation or significant follow-up by the police or the Commission in terms of locating and/or enabling the release of these children, who were recruited by the TMVP/Karuna faction. In addition, the families that filed a complaint have experienced increased intimidation. This is not indicative of a lack of follow-up by individual officers per se, but demonstrative of the need for a systematic improvement in the follow-up and investigation of cases, while ensuring the protection of complainants and witnesses from reprisal by any party in order to enhance the protection of children and restore the rule of law.

57. There has been no evidence to date that any measures have been instituted by the police or the security forces to secure the release of the children abducted, recruited and used by the TMVP/Karuna faction despite clear knowledge of the same by the police or the security forces. There is an urgent need for the Government of Sri Lanka to exercise its primary responsibility of protecting its citizens, actively take steps to secure the release of all children abducted by the TMVP/Karuna faction who are being held in Government-controlled areas and ensure their return to their families. Many families have visited their children in TMVP/Karuna faction military bases in Theevuchenai, Welikanda, Karupalai, Muthukkal camps and Sewanapittiya areas in Polonnaruwa, requiring passing through military checkpoints. Many families reportedly informed the Sri Lankan Army and the police that they were travelling to visit their children in the TMVP/Karuna faction military bases. In addition, a few TMVP political offices are in very close proximity to the police and Sri Lankan Army checkpoints, such as in the Batticaloa Town and Morakaddanchenai TMVP offices.

58. In relation to the allegations that some elements of the Government security forces are supporting the forced recruitment of children by the TMVP/Karuna

faction, on 27 August 2007, the Government of Sri Lanka established an interdisciplinary committee to conduct an investigation. While the recent appointment of the committee is welcomed, there is an urgent need for the Government of Sri Lanka to investigate the allegations and to take active measures to prevent grave violations being perpetrated against children, including the abduction and recruitment of children by the Karuna faction, especially in Government-controlled areas.

59. Further action is also required by the Government to address the situation of children who sought special protection from and surrendered to Government forces. On 12 September 2006, new emergency regulations were promulgated by the President for the appointment of the Secretary of Justice as "commissioner for rehabilitation" to oversee "protective accommodation and rehabilitation centres" for individuals, including children, separated from armed groups, where they would receive rehabilitation and vocational training prior to release. Subsequently, over 200 persons, including children who sought special protection and surrendered to the Sri Lankan security forces, were being held in Jaffna, Kandy and Pallekele Prisons. As at the time of reporting, 34 children remained in those prisons, in the same cells as adults. It is of the utmost importance that specific provisions be put in place for children leaving armed groups to support their safe return to their families and communities.

60. In the absence of any clear procedure, concerns remain for the treatment of formerly recruited children who come into the custody of the Sri Lankan security forces. Many of the boys and girls who were formerly recruited by LTTE have been subjected to visits and intense checks by the Sri Lankan Special Task Forces, with some children being required to report daily to Task Forces camps. In Batticaloa, this was particularly evident during the time of displacement, from February to June 2007, and subsequent to the return process of internally displaced persons to the south and west parts of Batticaloa district, where the Task Forces remain in control. UNICEF received reports of such cases from families, although these families do not report the cases to the authorities for fear of reprisals. UNICEF advocated on this issue through a written intervention to the security forces. It is important that the Government urgently develop, with the support of UNICEF and other child protection agencies, guidelines to safeguard the best interests of the released children for their community reinsertion.

V. Recommendations

61. **All relevant parties are called upon, as a matter of priority, to implement the recommendations of my first report on the situation of children and armed conflict in Sri Lanka (S/2006/1006) and the subsequent conclusions of the Working Group on Children and Armed Conflict (S/AC.51/2007/9).**

62. **Although limited progress has been achieved on the release of children associated with LTTE and the TMVP/Karuna faction, as called for in my previous report, both parties have failed to cease the abduction, recruitment and use of children, release all children associated with their forces and engage in transparent procedures for release and verification, including allowing the United Nations Task Force on monitoring and reporting full access to all military locations under their control, and to finalize action plans with the**

United Nations country team which meet international standards, warranting consideration of targeted measures should they continue to fail to come into compliance in the next reporting period.

63. **The establishment of the Government of Sri Lanka Committee to inquire into allegations of abduction and recruitment of children for use in armed conflict and to respond to allegations of aiding and abetting the abductions of children by the TMVP/Karuna faction, for use as child soldiers by certain elements of the Sri Lanka Armed Forces is welcomed. The Government is urged to take active steps to prevent the abduction and recruitment of children by armed groups and secure the immediate release of children associated with any armed group in areas it controls.**

64. **All parties are called upon to provide, with immediate effect, unimpeded and safe access to all areas under their control by relevant humanitarian actors.**

65. **All parties are urged to refrain from indiscriminate attacks and from directing attacks against civilians and civilian objects, including but not limited to schools and hospitals.**

66. **The Government of Sri Lanka is encouraged to strengthen the capacity of law enforcement authorities to conduct prompt investigations relating to crimes against children, ensure that due process of the law is carried out and adopt child-sensitive procedures.**

67. **The United Nations country team reaffirms its willingness to support immediately the Government of Sri Lanka in rapidly devising a child-appropriate release and re-integration programme for children who are separated from armed groups and are in the custody of the Government of Sri Lanka and their immediate relocation from prisons and other detention centres where they are currently being kept, often with adults, in contravention to legal obligations applicable to them.**